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HISTORY
OF
VIRGINIA

VOLUME I
COLONIAL PERIOD
1607-1763

BY
PHILIP ALEXANDER BRUCE, LL.B., LL.D.

Late Corresponding Secretary of The Virginia Historical Society
and Centennial Historian of the University of Virginia

ILLUSTRATED

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TO
Armistead Churchill Gordon
SCHOLAR, POET, BARRISTER, GENTLEMAN
THIS VOLUME IS AFFECTIONATELY
DEDICATED BY HIS AFFEC-
TIONATE FRIEND
THE AUTHOR

PREFACE

The first century and a half of Virginia's Colonial History, the period described in this volume, was crowded with events of extraordinary variety and far-descending influence. The eighteen years of the London Company's existence saw the erection on the banks of the James of the first permanent English settlement in the Western Hemisphere; the meeting at Jamestown of the earliest representative assembly to convene within the present area of the United States; the establishment of the first civil and criminal courts; the first trial by jury; the first grant of separate titles to land; the planting of the first staple crops; the manufacture of the first merchantable articles; the building of the first church; and the construction of the first dwelling-house. The era of Nathaniel Bacon made up another interval of supreme importance, for it was then that the first armed blow on a large scale was struck on American soil for the preservation of the rights of the common people and for their equality before the law. Subsequently, it was during the administrations of Culpeper and Effingham that the Virginians contended, with indomitable courage and persistence, for the inherited, and inalienable, and sole right of their General Assemblies to impose taxes and originate the measures necessary for the proper government of their local affairs. And next, it was during the administrations of Spotswood and Gooch that the first great movement of population westward began, never to pause until the shores of the Pacific were reached; and it was during this interval, also, that the Dissenters carried on their noble struggle for religious liberty, which was to end, at a later day, in a splendid triumph. And, finally, it was during the administrations of Dinwiddie and Fauquier that the expansion of the French Power towards the Alleghanies was permanently halted. All these dramatic and pregnant episodes were, by their transmitted influence, to make a profound impression on the character and career of the great Republic which now dominates the Western Hemisphere, and they are, therefore, entitled to a discriminating study as much from a national, as from a Virginian, point of view. I have not lost sight of this larger significance in my treatment of the different aspects of my central theme, whether it deals with the facts in the ordinary current of events, or with the qualities of the men who played the chief part during the years of the colonial period.

PHILIP ALEXANDER BRUCE.

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HISTORY OF VIRGINIA

CHAPTER I

MOTIVES BEHIND THE COLONIZATION OF VIRGINIA

Far removed from the impulse of mere adventure, which had always been a powerful influence with the Anglo-Saxon people in their migrations, was the spirit which led persons of that race to cast a lustful eye upon the North American continent long before any part of its soil had been taken up by Englishmen. Being a people of imperturbable common sense then as now, the supreme motive which governed them, in their earliest explorations in those remote regions, was of a thoroughly robust and practical nature. It was only to be expected that the reports, exaggerated in the transmission, of the incredible wealth drawn by the Spaniards from the mines of Peru and Mexico would have inflamed to fever pitch the cupidity of a daring and enterprising trading folk like the Englishmen of the sixteenth century. It was the hope of discovering gold and silver that chiefly prompted the first adventurers to set out for that shadowy land, which Elizabeth, with a splendid royal egotism, had named Virginia, in commemoration of her own immaculate state.

The most extravagant and intoxicating impression of the richness of this untouched soil in the precious metals prevailed in the English public mind. "I tell thee," says one of the characters in the contemporary drama of *Westward Ho*, "gold is more plentiful in Virginia than copper is with us. All their dripping pans and chamber-pots are of pure gold, and

all the chains with which they chain up the streets are massive gold. All the prisoners they take are fettered in gold; and for rubies and diamonds, they go forth in holidays and gather them by the seashore to hang on their children's coats and stick in their children's caps, as commonly as our children wear saffron, gilt brooches, and groats."

Ralph Lane, after picturing, in enthusiastic language, the beautiful flowers, the lofty trees, the fat soil, the abundance of wild fruits, the infinite varieties of bird and animal life, to be seen along the coast which he explored as the admiral of Raleigh's first fleet, regretfully acknowledged that the finding of a gold mine in that bountiful region would be more effective than all nature's wonderful, spontaneous gifts, so conspicuous there, to bring it into request as a site for an English settlement. And another writer of those times, equally shrewd, confirmed Lane's opinion by asserting that, for every subscriber to an expedition to be dispatched to that as yet unused land, before gold or silver had been unearthed there, one hundred would spring forward to put down their money for a second expedition, should the first announce on its return that these metals had actually been found.

Hardly less effective in promoting the earliest exploration of Virginia was the eagerness to discover a new, a nearer, and a more convenient route to the South Sea. This intense desire had its origin in the predominant trading instincts of the English people. The Orient was the factory for all those costly fabrics, and its soil the hotbed of all those rare spices, which the pampered sense of luxury in European society was demanding with ever growing insistence. The marine highway around the Cape of Good Hope was in the grip of the Portuguese; and apart from their hostility to the intrusion of rivals in those seas, this ocean-road was disheartening because of its extraordinary length. The route overland trod by the caravans of Venetian and Genoese merchants, through so many opulent centuries, was now constantly open to interruption by the sudden and ruthless dashes of the wild horse-

men of the desert. Painful voyages beyond the North Cape had disclosed the insuperable impediments in iceberg and icefloe that blocked those somber waters throughout the year. Was it practicable to find a passage for the coveted products of the Far East through some navigable channel that pierced the region of the still unknown Virginia? If the existence of such a channel could be proven beyond doubt, then that region would at once offer a commercial advantage to the English people, which would more than compensate for its possible barrenness in gold and silver, and other natural products smaller in value.

The information which the Indians on the Virginian coast gave Ralph Lane created the impression, when reported in England, that the Roanoke River had its principal fountain in hills bordering on the waters that spread away to the islands off the Asiatic continent. Captain Newport, as we shall see, pushed the prow of his vessel up the Powhatan to the falls, in the hope that, by this channel, the long desired goal beyond the vast South Sea might ultimately be safely reached. And Captain John Smith, and his brave companions, in their open boat threaded the morasses of the Chickahominy under the alluring influence of the same will o' the wisp.

The Indians soon detected this obsession in the minds of the English, and craftily encouraged it, as if in a mood of sardonic and revengeful humor, by asserting, with solemn positiveness, that the distance to those remote oceans could be traversed in a journey of a few days. It was a statement of this kind by the savages which led Captain Newport, during his second visit to Virginia, to construct a barge that could be borne on the shoulders of his men across the high neck of land that was expected to confront them when the watershed between the fountains of the Powhatan and the fountains of the streams flowing westward had been reached. This burning desire to discover a passage through Virginia was kept alive during many years by the practical interest which the East India Company showed in the success of the earliest

settlements. As late as 1621, it was a cause for congratulation among the members of that powerful association, and also among the leading English merchants in general, that a treaty of peace had been made with the Indians, since it was anticipated that this event would allow the renewal of the quest for the water highway to the South Seas, without the risk, as formerly, of an assault upon the explorers by those swarthy warriors. And even in 1669, two generations after Jamestown was founded, Governor Berkeley planned for an expedition that was not to halt until its members had debouched from the forests upon the shores of that mighty world of waters.

The third motive in which the settlement of Virginia had its beginning was less speculative in its character than the possible discovery of gold or the South Sea passage-way. During the sixteenth century, and in the early part of the seventeenth, the English people were dependent upon the natural resources of other nations for many materials which could not be dispensed with without serious damage, if not destruction, to their commercial welfare. All kinds of naval stores, as well as glass and soap-ashes, were imported from Russia and Poland; copper from Sweden; iron, figs and raisins from Spain; wine and salt from France; silk and velvet from Italy. The acquisition of these varied articles was made precarious by the constant possibility of numerous casualties and interruptions. There were perils of ocean storms and ruthless piracy, the rivalry of other trading countries, the occurrence of wars, and the imposition of unreasonable foreign port duties. So heavy and dark was the cloud of these drawbacks that it was apprehended in 1609 that the English merchants would become disheartened, and cease to try to procure the numerous articles which they had been bringing into the Kingdom from abroad at so much risk to their own fortunes. This fear was especially pertinent to copper, steel, lumber, masts, yards, cordage, and soap-ashes. The reports brought back by Sir Humphrey Gilbert and Captain Ralph



Lane gave a clear idea of the wealth in these natural products which the Atlantic Coast, from Newfoundland to the modern Carolinas, had to offer. That coast was covered with magnificent forests of pine and oak; it was overrun here and there with grape-vines and drug-bearing shrubs and silk grass; its thickets teemed with animals clothed in the most valuable furs; whilst the seas off shore swarmed with the noblest varieties of eatable fish. There were perceptible outcroppings on every side of the most precious metals. Rev. Daniel Price summed up the natural gifts of this virgin country by asserting, in the course of one of his sermons, that it offered many signs of being the equal of Tyre for dyes, Basan for woods, Persia for oils, Arabia for spices, Spain for silks, Narsis for shipping, Bonoma for fruit, and by tillage, Babylon for corn.

The fourth motive lurked in the mistaken opinion held in that age that the commercial situation of a nation was one of great peril if the balance of trade was against it. In selling their commodities to the English, the people of the different continental lands refused to accept merchandise in exchange. Coin alone would be received, and the constant drain upon the metallic resources of the kingdom which resulted was an unceasing source of apprehension to the statesmen of England. If a new fountain of supply could be created for English merchants and manufacturers by the erection of English colonies, then there would be no unfavorable balance of trade at all. An equal exchange of colonial products for English goods, and English goods for colonial products, would be the permanent status of the commercial intercourse between mother and daughter. There would be no necessity whatever for passing a single shilling by either, and, in consequence, England's hoard of coin would be subjected to no depletion at all, to the immense advantage of that country in the view of its leading economists.

The founding of new communities in the Far West would arouse a greater demand for English shipping by providing a larger number of cargoes for transportation. Time would

be certain to increase that number, and also to add to their bulk. The rivalry of the Dutch, which had already begun to damage the prosperity of English shipping, could be entirely shut out of this trade. A new school for the training of English sailors would be brought in existence, and the ability of the English Kingdom to defend itself against attack would thus be sensibly increased.

A sixth motive lay in the ample outlet for the surplus population of the English parishes which colonization would throw open. It was thought in those times that the terrible plagues, which so often decimated the inhabitants of the towns, had their seeds in the overcrowded houses and alleys. Thousands of children were turned loose in the narrow, undrained streets to become vicious and riotous as they grew older, or to burden the parish revenues with excessive charges for the care of the diseased. With an opportunity opened up to them to find work beyond the Atlantic, under more wholesome skies and more favorable economic conditions, they stood a good chance of growing into useful and thrifty citizens and loyal subjects of the crown.

A seventh motive was entirely political in character. Colonization of that remote coast with all of its extraordinary elements of natural wealth, would put a bit in the arrogant mouth of the Spanish monarch, the most formidable and the most sinister enemy of England in that age, and the one who aroused the most constant suspicion and apprehension in the minds of English statesmen. An English community in that region would bar the further spread of the Spanish Power in the West; and by its nearness to the ocean route by which the Spanish communications with South America were kept open, would create a strategic naval advantage over the detested enemy capable of being turned to quick use in case of actual hostilities.

Finally, there was an eighth motive for colonization which made a particular appeal in those unskeptical times. Beneath all that commercial and adventurous spirit which then pre-

vailed so universally, there was a religious consciousness which colored more or less every great public movement. An honest interest was felt in the conversion to Christianity of the aboriginal people, who were known, even before the first expedition, to occupy that distant country. This interest was expressed clearly in the letters-patent of 1606. The thoughtful instructions which were drawn up for the guidance of the voyagers to Virginia in the course of that year closed with the pious invocation that the President and Council of the projected colony should see to it that the word and service of God were "preached, planted, and used" among the neighboring Indians, and that these heathens were treated "with unfailing kindness and helpfulness" by the white settlers.

CHAPTER II

VIRGINIA COMPANY OF LONDON

The complete failure of the colony which Sir Walter Raleigh had planted on Roanoke Island¹ had demonstrated that the expense of such an enterprise was too heavy for the resources of a private purse. Without the support of a combination of resources, it was made clear by this failure that no such adventure could succeed, however resolutely undertaken or bravely pursued. The recognition of this fact led to the incorporation of the Virginia Company of London, whose aim was to effect, through a union of many purses, a general result, which one purse, though distinguished for affluence, had shown itself to be incapable of accomplishing. The hostilities that had kept England and Spain embroiled with each other ended in 1603, after dragging on eighteen years. During this turbulent interval, all schemes of colonization fell into a state of neglect; but so soon as peace was again declared, the spirit of this branch of English enterprise sprang up once more, under the pressure of the popular conviction that the menacing power of Spain and the Roman Church in the New World must be permanently restricted by the erection of Protestant settlements along the main seaboard of the North Atlantic. When Captain George Weymouth returned from those waters in July, 1605, William Parker and other wealthy citizens of the prosperous town of Plymouth arranged with him for the planting of a colony in that region; and subsequently, Sir John Zouch was associated with the

¹The history of this colony belongs more distinctly to the history of North Carolina than to the history of Virginia in the series of state histories to which the present one belongs. A full account of it is, therefore, omitted here.



SIR WALTER RALEIGH

same intrepid explorer for a like purpose. But these far-sighted and public-spirited projects were frustrated by unexpected and unavoidable circumstances.

The enterprise that was destined to be successful took its first practical shape in the petition for a charter for an association which was organized for opening up the Atlantic coast to European civilization. This document was signed and submitted by Sir Thomas Gates, an officer who had accompanied the excursion of Admiral Drake in 1585; Sir George Somers, a former lieutenant of Sir Walter Raleigh, who had distinguished himself in the fierce raids against the Spanish West Indies; Rev. Richard Hakluyt, the friend and chronicler of all the great explorers of his own times; Captain Edward Maria Wingfield, who had won a reputation for gallantry in the course of the wars in the Low Countries; William Parker, George Popham, and certain others, who, during the preceding reign, so glorious for its daring spirit, had served as navigators in American waters. The charter asked for was granted on April 10, 1606.

When this epochal patent passed the royal seal, England claimed all that huge section of the North American continent which was situated between the thirty-fourth and the fifty-fifth north latitude. The new charter, in reality, incorporated two associations, one of which was empowered to plant a colony in South Virginia; the other, to plant a colony in North Virginia. The first colony was to be founded in the region lying between the thirty-fourth and forty-first north latitude; the second, upon a suitable site somewhere in the remaining region included in the letters-patent. An interval of one hundred miles was to be left unoccupied between the two. The entire area of territory really embraced within the bounds of the north and south colonies was not in excess of twenty thousand square miles. England, however, at this time, asserted her title to at least two million square miles, since her domain in that quarter was supposed to run back to the South Sea itself.



SIR THOMAS SMITH

By the first letters-patent, the north and south lines of South Virginia were to run one hundred miles from the Atlantic Ocean back towards the Pacific, and its frontage on the Atlantic was to extend one hundred miles also. Both colonies were to possess jurisdiction over all islands in the Atlantic and South Seas that were situated within that distance of their respective coasts.

It was provided in the charter that the colony in South Virginia should be under the administration of two councils. The first, consisting of thirteen members, was to be appointed by the king, and to be subject to such instructions as he should give from time to time. This council was to reside in England. The second council, which was to comprise a membership of thirteen also, was to be appointed by the Company and to reside in Virginia. This body was to elect its own presiding officer, and in case of delinquency, was authorized to remove him and fill the vacancy. It was empowered to try all civil cases, and also the smaller criminal cases. The heinous ones were to be left to the verdict of a jury.

The London Company, by their letters-patent, secured the right to explore Virginia for the precious metals, to coin money, to repel invasion, and to bring in people for its permanent settlement. During the first twenty-one years, the duties to be paid by persons trading with the colony were to be reserved for its use; and for seven years, a certain number of its commodities were to be exempted from the customs. The most important political feature of the charter was that clause which declared that the inhabitants of Virginia were to enjoy every privilege in the possession of the native subjects of England.

The King contributed not a shilling to the funds required for the success of the enterprise. These funds were raised by the joint stock of numerous private investors. The business management of the Company was undertaken by casual and temporary associations. In character, this organization was what was known as a regulated company. Its members

did not engage in trade as one body. Individuals among them subscribed separately to a voyage in proportion to their means, or to the degree that their confidence in a particular venture suggested. The influence brought to bear to induce subscription was one of gain exclusively. The benefits of colonization did not, in the beginning, play any part in the outlay of a joint stock. It is true that such a stock was sometimes expended in transporting colonists to Virginia in these first years, but it was the pecuniary return, not the settlement of the new country, which was the motive for making the expenditure. Agents were appointed in London in the case of each adventure to supervise the despatch of merchandise or emigrants to Virginia, and they were authorized to receive the profits. The goods thus sent over were delivered by the shipmasters in charge to the cape merchant in Jamestown, who had been chosen for this duty by the President and Council there.

The great enterprise launched by the charter, it may be inferred from this description, was a purely commercial one, both in its organization and in the ends which it had in view. The king, exempted from all risk of heavy expense to his treasury, countenanced it for the single purpose of spreading the trade of the realm into new fields. James, however, participated in the operations of the Company to a larger degree than had been customary with his predecessor, Elizabeth, in her relations with similar associations. He not only encouraged that body by his direct royal patronage, but he actually appointed and overlooked the chief council that administered its affairs. It was to the immediate interest of the crown that he should do this, for, besides the aims of exploration and search for the precious metals, the Company, as specifically stated in its charter, was designed to increase the volume of the royal revenues by the importation of new commodities, and to quicken the growth of the English navy by lowering the price of all raw naval supplies.

If colonization had not been indispensable in carrying out the commercial objects of the association, the introduction of

permanent settlers into Virginia for the purpose of founding a great English community overseas would have been put off for many years. The more people brought over, the deeper the interest of the kingdom in the prosperity of the colony would be, and the more disposed its citizens to open their purses for advancing its welfare. The expansion in actual settlement only overshadowed all the other purposes of the enterprise when the original objects of that enterprise had proved, by the touchstone of experience, to be delusive.

The London Company did not stand entirely alone as a corporation. The principal men interested in its success were also interested in the fortunes of the other great contemporary associations, like the Russian and East India Companies. Particularly close was its relation with the East India. Not less than one hundred persons were members of both corporations; and the governor of the East India Company was, during many years, the treasurer and the real head of the London Company.

CHAPTER III

PHYSICAL ASPECTS OF ABORIGINAL VIRGINIA

What was the aboriginal character of the region which the London Company was organized to explore and turn to good use for the purposes of trade and settlement? Before starting out to describe the expedition which disembarked in Virginia in the spring of 1607, it will be pertinent to offer some account of the virgin land which these eager adventurers entered, its potentiality of wealth through its natural products, and the extent to which its soil and animal life had already been turned to practical advantage by the primitive race that occupied it. The first impression of the voyagers, as their ships slowly made their way up the waters of the Powhatan, was one of enthusiastic admiration for the bulk, height, and variety of the trees that entirely hid the surface of the country visible from the bosom of the stream. The woods, on either side, were, as a rule, without any undergrowth,—a condition brought about by the Indian custom of burning the fallen leaves in autumn in order to form a circle of fire for the capture of whole herds of deer. It was asserted afterwards that a coach and four could have been driven through the thickest groups of trees without danger of touching a single trunk; and that a person in the forest remained unhidden even when he had got a mile and a half away from the observer. A perfect order of battle could have been arranged, without any serious obstruction, in these woods.

Along the outer ocean coast, and the shores of the modern Hampton Roads, the array of tall pines shut out the landscape, but, in the valley of the Powhatan, there were seen walnut trees in such numbers that it was calculated that these trees

A Scale of 20 English Miles

The Draught by Robert Tindall
of Virginia Anno 1688



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Cotton MS., Augustus I, Vol. II, No. 46, in the British Museum.
"A charter of King James his river in Virginia."

made up at least one-fourth of the entire forests; oaks so straight and tall that planks twenty feet in length and two and one-half feet square, could be obtained from their trunks; cypresses three fathoms in girth about the roots; mulberries in groves that shaded many acres with their spreading limbs; ash, destined to furnish an unlimited quantity of material for soap-ashes; cedars that recalled those of Lebanon in the affluence of their branches; sassafras, laurel, locust, tulip, balsam; chestnuts that produced nuts equal in flavor to those for which Spain was so renowned; chinquapins and hazels springing up in thick bushes. The only apple discovered was the crab, which was unpalatable to the taste; but there were several varieties of cherries, plums, persimmons,—the latter reminded the early explorers of the English medley,—blackberries, raspberries, and whortleberries.

The trees here and there were overrun with pendent masses of grape-vines, which, at the point where they issued from the ground, were sometimes as large in size as the thigh of a man's body. Four varieties of the sloe alone were noted in the wooded valleys of the rivulets, and along the borders of the tangled swamps. So thickly scattered over the ground in season were the strawberries growing in sunny spots that it was said by the first explorers that the foot, in treading on them, was soon dyed as it were in blood. Along the shores of the sea and the bay, and in the fastnesses of inland bogs, the myrtle bushes sprang up in thickets. Their berries at a later day supplied a transparent wax which was used by rich and poor alike in the domestic manufacture of candles, remarkable for the soft light which they gave out, and also for the delicious fumes which rose from the wick when the flame was quenched. In the rich loam were found hops growing wild, muskmelons, squashes, gourds, may-apples, beans and pumpkins, parsley and sorrel, oats, flax, and sumac. But what the progress of time was to prove to be of a more important nature than all these products of the soil combined was the maize stalk and the tobacco plant, two natural growths, dis-

covered in the country when first explored, which were to exercise a supreme influence on its subsequent development.

One of the early voyagers has recorded that the ground in the neighborhood of Jamestown Island was so enameled with wildflowers that it reminded the spectator of an English garden in spring. The woods along the banks of the Powhatan were decorated with the white blossoms of the dogwood when first seen from the English ships; and the varieties of shrubs



JAMESTOWN ISLAND IN 1922

and weeds appeared to be almost countless in number. Many of these had an aromatic odor, which, breathed upon the wind by the forest fires of the Indians, could be detected far out at sea by approaching mariners. Indeed, after the first settlement of Virginia, the hidden presence of the shore was, at certain seasons, often disclosed by the sweet smell diffused over the waves by the fresh fragrance of green leaf, flower, and shrub growing on land lying below the horizon.

Aboriginal Virginia was a region of streams. The earliest explorers were astonished by the number of brooks, copious and lucid, that meandered through every part of the unending woods; and they were constantly reminded by these sylvan

streams of the network of veins that interlace the human body. One natural fountain at Newport News was so outpouring as to furnish quickly an ample supply of water to every outward bound ship. So enormous was the volume of water discharged into the principal rivers by the creeks that the contents of these rivers continued without any salty taint fifty to an hundred miles below the influx and reflux of the tides, and at times within thirty or forty miles of the great bay itself. Few countries possessed so many rivers of such imposing dimensions. The Potomac, Rappahannock, Pamunkey and Powhatan were, in their lower reaches, estuaries of the sea, and they ran back into the land far enough to offer, during the first one hundred or more years, in association with smaller streams like the Nansemond, Chickahominy, Pyankitank, and Appomattox, all the water highways needed for the exportation of the commodities of the country.

The outer coast was low and uniform, and so free from the presence of rocks and shoals that a ship could approach it by night as well as by day, with safety, in ordinary weather, while, in the event of a rising storm, quiet anchorage could always be found within the Capes, or in some natural harbour situated at a little distance from the mouth of the larger rivers.

So vast were the swarms of fish swimming in the pellucid currents of the smaller streams that the Indians were in the habit of wading in and killing them with sticks. At a later period, it was said that, in places, during the spawning season, the air reeked with the odors of those which had become exhausted and died of starvation before they could make their way out to sea again. When Captain John Smith sailed up Chesapeake Bay on his first voyage of discovery, the schools of fish that silvered the surface of the water here and there were easily scooped up with ordinary frying pans. The quantity of shad, herring, and rock, seemed to be beyond calculation. In one cast of the seine, under the eye of Sir Thomas Dale, five thousand fish, of numerous varieties, were hauled to the shore; and in another cast off the coast near Cape

Charles, the catch was voluminous enough to furnish a cargo for a small frigate. Among the swarms of these creatures of the deep were salmon, perch, bass, whiting, carp, pike, porpoise, and sole. In the space of a few hours, two men at Jamestown, while standing in the water, killed forty enormous sturgeons with their axes.

Along the wooded banks of the Powhatan and modern York huge piles of oyster-shells bore silent testimony to the extraordinary abundance of this fish, while mussel-shells covered the deep bottom of the tidal streams, and crabs and turtles lurked everywhere in the shallows.

So soon as the frosts of autumn began to fall, vast flocks of wild fowl from the North dropped upon the surface of the rivers and inlets in order to feed upon the succulent wild celery and oats that grew there in profusion. They had been haunting those waters for countless centuries, with practically no depletion through the weapons of men. Robert Evelyn, writing forty years after the first house was built at Jamestown, mentions the fact that there had been seen off shore on the upper Chesapeake Bay masses of swimming swans, geese, and ducks, intermingled, that spread out a mile in width, and in length, seven miles. In numbers still more incalculable were the snipe, plover, and curlew. So many wild turkeys were observed in one place on the banks of the Powhatan by the voyagers that they gave the spot the name of that imposing bird, a designation which has survived until the present day. Evelyn, a sober witness, tells us that the flocks of turkeys generally contained as many as forty individuals; and that, on several occasions, four hundred or more had been counted as they fed unconcernedly in the green savannas. At last one specimen had been known to weigh fifty pounds.

Cranes, frightened to wing by the sight of the approaching voyagers, were described as giving forth a joint cry, which, redoubled by the echoes of the neighboring woods, sounded as if a whole army of men were shouting together. The whip-poorwill called mournfully at night from the borders of the

swamps. The bluebird and the redbird flashed through the openings of the forest like flying patches of brilliant color. Many of the cardinals were, in later times, sent in cages to England for the enjoyment of the beauty of their plumage. Larks, kingfishers, jays, humming-birds, and gold finches, were to be seen on the wing or feeding, at every turn in a stroll; and equally numerous were the partridges, which were found to be larger in size than those of the English fields. Streams of pigeons, apparently without end, very often threw the sky into eclipse, and broke down the limbs of the large trees by their combined weight as they settled at night to roost. In spite of the almost incredible speed of their flight, it sometimes required half a day for one flock to pass a single point; and the beating of their wings as they careered overhead sounded like the long roll of muffled thunder. Just before the rebellion of 1676 began, there suddenly swept into view a mighty mass of these gallant birds, that, in breadth, occupied a quarter of the midhemisphere, and stretched away far beyond the power of the eye to reach.

The presence of ornate parrakeets in the forest led the early explorers to conclude that the tropical climate of the South Seas could not be far away from the upper waters of the Powhatan and the Chickahominy. From tree to tree darted wood-peckers, with scarlet crests at the top of their heads, or with bodies speckled with white and black spots or yellow and brown. But the most remarkable of all the birds seen, if tested, not by its plumage, but by its song, was the mocker, which never grew tired, while balancing itself on a bending spray, of imitating the notes of the entire choir of the woods. Spelman, who had travelled up and down the recesses of the aboriginal forests with his Indian hosts, records the fact that the only English bird which had no habitat in Virginia was the peacock.

In spite of the device of using encircling fires through ages, the Indians had not been able to keep down the number of deer. Large herds of these animals were seen by the first settlers

even in the vicinity of Jamestown; and further up the Powhatan, other herds were met so tame in spirit that the English approached them at the closest quarters without exciting their fear. Buffalo and elk wandered about in the remote regions towards the mountains, disturbed only by wolves and Indians. They had disappeared from the Peninsula. Wolves were constantly heard at night in the vicinity of Jamestown as they hunted like packs of yelping beagles in the neighboring woods; and it was difficult for the planter, overtaken in the forest by darkness, and compelled to go into camp until morning, to save his frightened horse from their devouring jaws. The bear of aboriginal Virginia was small in size. Its principal haunts were in the cane brakes of the Dismal Swamp; but, towards the falls of the Powhatan, a herd was very frequently seen by the explorers feeding like common swine on the acorns that bestrewed the ground under the oaks. The woods harbored the gray fox; and in the little valleys of forest streams, the beaver built its ingenious and houselike dam. The raccoon was thought at first to be a variety of monkey, and many of these sly little animals were sent to England to serve as curiosities for the amusement of private households. Its flesh was prized in Virginia as being as palatable as that of lamb.

The flying squirrel was of the same pointed interest as a rarity. Individuals of this variety were acquired by English noblemen as oddities for the zoological collections of their parks, or by English scientists as specimens for their cabinets. Even King James was eager to secure one of them for his own diversion. Among the other animals which existed in aboriginal Virginia in large numbers were otters, minks, wild cats, polecats, martens, hares, and ground and grey squirrels. The opossum, with its pouch of living skin to hold its young, and with its ability to feign death with strange fidelity, was the most astonishing natural freak of all. Panthers prowled stealthily in the remote forests, but were not seen in the woods about Jamestown. Rattlesnakes and other venomous reptiles were soon detected in the thick weeds and copses. Mosquitos, the conveyors of the malaria that cut off so many of the trans-

planted Englishmen, rose in clouds from the fetid marshes, and bull frogs and tree frogs called to each other in bass voices through all the hours of day and night.

It was soon observed that the climate of aboriginal Virginia varied but little in summer from that of Spain, while the degree of temperature in winter was not colder than the same season in England and France. Rain fell in copious quantities throughout the month of April, and also in the course of September. This latter month, owing to the decay of the rank vegetation, was always the most unhealthy. Autumn, beginning with the advent of the first frosts of October, spread a blue veil of extraordinary beauty over the quiet face of the fields and forests.

It was soon found out, after the first colonization of the country, that the regions situated near the falls in the rivers were more salubrious than those lying in reach of the ocean tides. Whilst men were dying like infected cattle at Jamestown, the companies sojourning for a short time at the cataract in the Powhatan, and on the high banks of the Nansemond, enjoyed good health and kept up their normal strength. The enemies of the earliest settlement founded in Virginia asserted that its people, owing to the presence of innumerable bogs and swamps in the lower valleys of the country, were exposed to all those chronic diseases that prevailed in the fens of Eastern England. By some, the ill health was attributed to the brackish taint of the water which was drunk at first; but its origin was not always confined to that source. It was often due to other causes,—to the difference between the moderate summer heat of England, to which the colonists had been accustomed from birth, and the frequent torridity of the Virginian atmosphere at the same season; to the variableness of the Virginian climate, now cool, now hot, now dry, now moist, according to the way the wind was blowing; to the copious use of malt liquors; but above all, to fevers brought on land from the decks and cabins of ships that had huddled up their passengers with no regard for sanitary laws, even so far as known in those times.

CHAPTER IV

INHABITANTS OF ABORIGINAL VIRGINIA

What knowledge have we of the copper-colored people who occupied Virginia when the voyagers of 1607 arrived at the capes? Captain John Smith, who had inspected the country within sixty miles of Jamestown more thoroughly than anyone of the first adventurers, estimated the size of the aboriginal population within that circuit at five thousand individuals. Strachey, coming later, and possessing more extensive information than Smith, through the report of subsequent explorers, put the number of the aboriginal inhabitants down at ten thousand; and this was quite probably the correct enumeration.

The Indians lived dispersed in small villages, which rarely contained as many as one hundred wigwams. These were rude structures of saplings tied at the top with hickory withes, and covered with mats woven of the native grasses. The beds consisted of reeds supported by poles; the bed clothes, of skins; and the pillows, of blocks of wood. Powhatan's pillow, however, was made of leather, and was strung with rows of beads and mussel-pearls. In summer, the beds were taken away, and the tenants of the primitive hut, usually twenty or more in number, slept together on the rush-strewn dirt floor. Placed about the village were low scaffolds of dry reeds or willows, and on these the Indians spent much of their leisure gossiping or fashioning their weapons for war or the chase. Hidden in the darkest and most silent recesses of the forest stood the somber Indian temple, a building twenty feet in breadth and one hundred feet in length, that sheltered the mummies of defunct werowances and the black images of hideous devils.

The treasure-house of Powhatan was adorned in one corner with the figure of a dragon; in another, with the figure of a bear; whilst the remaining two corners were respectively occupied by the figures of a panther and a gigantic warrior.

The Indians, in preparing the soil for tillage, destroyed the forest trees by cutting a belt in the bark to stop the passage of the sap in spring; and when these trees had begun to decay, fires were kindled about their roots and their trunks burnt away. The ground chosen for cultivation was always extremely fertile. The hoe used by the Indians consisted of a long stick, to which a deer-horn or shoulder-blade or a crooked piece of wood had been firmly tied. The principal aboriginal crop was maize, the grains of which, in season, were dropped in shallow holes four feet apart. Between these holes, beans were planted and also peas, pumpkin seeds, and the seeds of gourds, cymilins, and mayapples. The first corn in the field to mature was consumed as roasting-ears, and the last was reserved for the winter granary. Before all the maize had been gathered, the peas and other vegetables had been pulled and either eaten or stored away for future subsistence. The corn-fields were protected from the depredations of crows and other winged marauders by the presence of Indian boys perched upon tall scaffolds situated here and there in the long ranks of the growing grain.

The excellence of the Indian methods of cultivation were demonstrated by their adoption by the colonists. The average yield to the acre was thought by Hamor to be about two hundred bushels of maize, peas, beans, and pumpkins. These several crops were gathered by the Indian women, who used for that purpose small baskets made of hemp bark or the corn blade. The contents of these hand-baskets were poured into larger ones placed here and there about the field. When the latter were full, they were carried to the village and emptied of their contents in turn on mats spread out in the sunlight. So soon as the grain on the ear had become hard, the shuck was stripped off, and the ear shelled by rubbing two ears

together. The grains thus separated from the husk were collected in baskets for storage in the corn-houses. At Kecoughtan, a town situated near the modern Hampton, there were found three thousand acres of cleared land; and the greater part of this wide area of ground was planted by the Indians in maize, interspersed, as was customary, with vegetables. Extensive fields overgrown with the same crops were to be seen on the low-grounds of the Chickahominy, Nansemond, and the Pamunkey. A similar field was situated at the mouth of the Appomattox which spread over one hundred acres. A section of this was planted in tobacco.

The only alleviation of the sorrows of the massacre of 1622 in the minds of the colonists was the thought that, thereafter, all the Indian maize fields would be open to seizure, which would relieve the settlers of the heavy labor accompanying the cutting down of the primæval woods with axe and saw. Before the happening of that bloody event, purchases of several hundred bushels of corn at one time had been made in the different Indian villages. Captain John Smith, in the course of his several expeditions, had bought many hogsheads of grain, and after one of his visits to Chickahominy River, he reported that he could have loaded a frigate with the quantity easily obtainable had one been at his disposal. On a single occasion, Captain Argall brought back to Jamestown from the Potomac one thousand bushels of shelled maize.

Joined on to every Indian corn-field was a patch of growing tobacco. The size to which this weed attained in aboriginal Virginia fell short of what had been often noticed in the fertile West Indies, but it usually sprang up to the height of at least three feet.

The use of the cured leaf by the Indians was not limited to the pipe. It was supposed by them to possess medicinal qualities. It was also dropped on sacrificial fires in the form of dust; or it was sown to the wind when a drought had parched the landscape or a storm was brewing; or it was sprinkled liberally over the weirs when schools of fish were running; or

it was tossed in the air when the warriors returned from a successful excursion. Tobacco was one of the valuable articles reserved for the enjoyment of the Kings when translated by death to the Happy Hunting Ground. The pipe used by the Indians was sometimes a yard in length, and so tough in fibre and so heavy in weight that it was capable of braining a man if directed to that purpose. It was the most sacred symbol of peace. When the first band of explorers reached the village of Appomattox, they found themselves face to face with the wero-wance holding a bow and arrow in one hand and a pipe filled with tobacco in the other. This meant that the strangers could make their choice between war or peace. Handsful of tobacco always accompanied the gifts of food which the Indians made to the voyagers. It was associated in these presentations with nuts, mulberries, strawberries, and raspberries, as if it, as well as they, were looked upon as a relish.

The Indians used for bread, not only the grains of maize, but also the seed of sunflowers and mattoom, and the roots of the tuckahoe plant. So abundant were these roots that it was said that enough of them could be gathered in one day by one person to furnish him a subsistence for a week. The persimmon was dried in hurdles and stored away like preserved dates. Oil was compressed from the kernels of acorns and walnuts. The nuts of the hickory tree provided a liquor that was employed either for quenching the thirst or for giving a sharp flavor to a mess of boiled peas, beans, maize, and pumpkins. The large gourd was converted into a water bucket, and the small into a dipper. The Indians were more inclined to drink out of ponds than out of running brooks. They showed a keen distaste for onions and hazelnuts.

Besides the grains and vegetables of the corn-field, they possessed other means of subsistence. The first of these was fishing. Weirs constructed of small sticks or reeds, held together with strips of oak, were placed at the mouths of all the minor streams; and at the foot of every fall in the large rivers, a fish trap, shaped like a cone, and divided into a series



AN INDIAN VILLAGE

of communicating chambers, was tied to the rocks. The orifice in each chamber was barbed to prevent the return of the captive on his track.

The principal instrument of the Indians in the chase was the bow and arrow. The bow was constructed of locust or hazel wood, and cut and scraped into the proper shape with a shell. The arrow was made of a tough reed, and it was tipped with a sharp piece of flint, or with the spur of a wild turkey-cock, or with the bill of one of the other larger birds. The string was of cured stag gut. The shaft was balanced with a feather of the eagle, hawk, or buzzard. The quiver was manufactured of fox or wolf skin, with the bushy tail retained. Using this primitive weapon, the Indian hunter was able to kill a bird or animal one hundred and twenty yards away, or drive an arrow-head into a target that was hardly penetrable by a pistol ball.

There were several methods used by the Indians to capture game. The most successful, perhaps, was the setting of a torch to the dead leaves and brush at the entrance to narrow peninsulas. When the deer, bear, or other wild animals, pent up in the threatened area, took to the water in order to escape the flames, they were seized or slain by the hunters, who had been lying in ambush in the shadow of the banks. Sometimes, the hunters were aided in getting right up to a herd of deer by disguising themselves in the skins of these animals, which were observed by the victims without suspicion. In the month of May, the occupants of a village would desert their wigwams for a time and plunge deeper and deeper into the primæval woods until they had reached the hunting lodges which they had, in some previous season, erected in a secluded spot; and here they remained during several weeks in busy pursuit of the beasts of the vast forests. The women and children took an active part in these annual excursions.

The Indians obtained no food from domestic fowls, but they possessed as a substitute the meat of bears, deer, squirrels, hares, raccoons, and opossums, and the flesh of wild ducks,

geese, and swans. Before cooking, they removed the entrails of all varieties of game, but allowed the scales of fish to remain, however large their size. The meats were either laid directly on the face of the hot coals, or they were placed in a frame of sticks supported above the flames by small posts. Fish were prepared for the platter by piercing them with sharpened sticks, and then exposing the flesh to the heat of the fire from the side. The pot was used when fish, flesh, and vegetables were messed together; and it was also the receptacle whenever oysters, mussels, and corn-meal were to be converted into a broth. Corn meal, however, was ordinarily made up into cakes, and in that form laid on the glowing coals, or under the hot ashes, until the process of cooking was completed. It was also eaten in the form of hominy, a method of preparing it for the palate which was soon adopted by the colonists, and has come down to our own day.

All the early chroniclers testify to the lavish feasts with which every visit to an Indian village was celebrated. When Captain John Smith arrived at Werowocomico in 1608, the squaws spread out before him and his companions a primitive banquet consisting of fruit deposited in baskets, fish, wild fowl, and venison resting on wooden platters, and beans and peas in similar dishes, in such quantities that the appetites of twenty persons could easily have been appeased with it all. He was offered a bunch of feathers to serve as a napkin. During a visit which Hamor paid to Powhatan, there was set before him for breakfast a mess of boiled peas and beans in such volume that a dozen famished men could have been satisfied by the contents of the pot. Only an hour afterwards, platters of boiled fish were placed before him for consumption; and an hour later still, platters of roasted oysters and crabs. Soon the hunters returned with a buck, several does, and a fat turkey-cock. Before night had fallen, the last remnant of all this food had been devoured. Previous to his departure, on the following morning, Hamor breakfasted on a broiled turkey; and another broiled turkey and three



POWHATAN

Told this state & fashion when Capt. Smith
was delivered to him prisoner

1607

baskets of bread were given him to satisfy his appetite when he should be on his way to Jamestown. During the first Christmas season, Captain John Smith and his companions were detained at Kecoughtan by adverse winds. Their time was passed with the savages, and they said afterwards that they were feasted with as excellent oysters, as good fish and wild fowl, and as nourishing bread, and warmed by as roaring fires, as if they had been stopping in some prosperous community of old England.

In winter, the Indian warrior used untanned deer skins for clothes; but, in summer, he was content to confine his garments to a belt of leather, in which a tuft of grass or leaves was tucked both before and behind. Some of the men were in possession of cloaks made of the skins of the squirrel, raccoon, and otter. Powhatan wore a mantle of raccoon skins, with the glossy tails hanging down all around his body. The person of the priest was adorned with a mantle of weasel skins intermingled with the skins of snakes. The snake skins and weasel tails were drawn up over his head and tied in a knot, from which the ends dangled on all sides like the strands of a large tassel. The Indians were in the habit of using oil to give a gloss to their own skins, or to hold the soft down of the blue birds, red birds, and white herons, which they had applied to the sticky surface. The women were clothed in garments of skin skillfully dressed and tastefully fringed and shagged at the skirt; and these vestments were also embellished with white beads and links of copper, and decorated with images of beasts, birds, tortoises, fruits, and flowers. They too wore mantles of the feathers of ducks, swans, geese, and turkeys, dyed red or blue, as the fancy suggested. In their hunting expeditions, members of both sexes donned leather breeches and stockings.

The several tribes differed in their physical aspect. The Susquehannocks were the most imposing in size. The calf of the leg of one individual among that people measured by Captain John Smith was three quarters of a yard in circumference.

On the other hand, the subjects of Powhatan were small in figure. The warrior, however, whether large or diminutive in frame, was erect in bearing and alert in movement. His beard was thin and straggling; his hair, black, coarse, and long. Not a gray or blue eye was to be found among the Indians. They were robust in health, and often survived to a great age. In case of sickness, they relied for cure only on concoctions of the indigenous barks and roots, and on the virtue of the sweating-house. They were firm believers in magic and incantation, and the priest was a personage of extraordinary importance in those wild-wood communities.

In the Indian calendar, the year was divided into five seasons according to its varying character. The first was known as Cattapeuk, that is to say, the season of blossoms; the second as Cohettayough, the season when the sun rode highest in the heavens; the third as Nepanough, the season when the ears of maize were sufficiently mature to be roasted; the fourth as Taquetock, the season when the leaves had begun to fall and the grain to harden for the harvest; and the fifth as Cohonk, the season when the wild geese appeared in the sky in long lines in their migration from the North, uttering as they flew majestically overhead their deep cry, which suggested the name for those wintry months.

CHAPTER V

THE FIRST EXPEDITION, 1606-07

Such in discursive outline was the region which the London Company was organized to exploit for purposes of trade, and incidentally only to colonize. Such were the aboriginal people who occupied it, and such the uses which its natural resources permitted them to make of it. It was a country blessed with abundance in an hundred forms, and endowed with a climate that, during the greater part of the year, was temperate and invigorating. The soil along the banks of all the streams was fertile to a degree hardly surpassed in the valley of the Nile. Here, it would have been said, was a land which was exactly adapted to settlement by a practical people like the English. Every condition, except the presence of a treacherous population of barbarous natives, appeared to be favorable to successful colonization; and even that one antagonistic condition seemed to be capable of being overcome by the superiority of the gun and breast-plate over the bow and the tomahawk. With every physical and moral advantage on their side, let us see what was the history of the first adventurers who went out to make use of this virgin region, which surpassed their own mother country in the profusion and quality of its natural gifts.

The little fleet which set sail from the docks of foggy Blackwall in East London in December, 1606, the bleakest part of the year, comprised three vessels whose names should be sacred in the hearts of all Americans as the names of the three most memorable ships that were ever steered across the wild reaches of the North Atlantic—the *Sarah Constant*, the *Goodspeed*, and the *Discovery*. The admiral of the fleet

was Captain Christopher Newport, a veteran mariner who had done a yeoman's part in singeing the beard of the Spanish King. He was in sole charge of all the officers, soldiers, sailors, and other persons, who were enrolled in the expedition. The vice-admiral was Captain Bartholomew Gosnold, who was already familiar with those seas through his share in the explorations of Sir Walter Raleigh. Captain John Ratcliffe commanded the *Goodspeed*, which was a mere pinnace in its dimensions. His real name was Sicklemore, and he seems to have deserved the description afterwards given of him "as a poor counterfeited imposture," and, therefore, of very different stuff from the two experienced seamen who overtopped him in rank.

The company housed in the three ships numbered about one hundred and twenty persons in all, without counting the forty or fifty hardy sailors who had been enlisted to man the vessels. It embraced a great variety of people, not one of whom, in going out to the West, perhaps, was not influenced by that spirit of adventure which had carried Englishmen so far in that daring age. The absence of women was a proof that the uncertainties of the undertaking were deeply lodged in the minds of all. These people, whatever their antecedents, whether laborers or aristocratic gallants, or men of solid fortunes at home, looked upon themselves as engaged in a quest that was to have, if successful, a profound influence upon the destiny of their race as a whole. London, at this time, was a city of three hundred thousand inhabitants, and as was the case so often before and afterwards, was suffering from the ravages of a great plague. But the voyage of the little fleet does not seem to have been hastened by this fact. That it fixed the interested attention of Englishmen at large was shown by the splendid ode which the poet Drayton addressed to the departing company. An important object taken on board of the flag-ship was the locked box which contained a list of the persons who had been selected to make up the resident council in Virginia, but whose identity was not to be

proclaimed until the shores of the country of their destination had been reached. The list was accompanied by a series of instructions for the guidance of these men in the performance of their official functions.

In January, 1607, the fleet was forced to cast anchor in the downs to wait for a favorable wind; and it was detained in sight of land until late in February. On the eighteenth day of that month, the vessels dropped from the coast, and steered boldly out into the boundless western ocean. Four days later, a comet appeared in the vault of the nocturnal heavens, to be watched with superstitious awe and fear until it faded from view. Having passed Cape Finisterre and the Canary Islands, the ships turned westward, and spreading their sails to the steady impact of the trade winds, were, in a few weeks, wafted into the seas that washed the strands of the West Indies. Halting in March, at Dominica, the company on board were welcomed by the Indians with profuse gifts of pine-apples, potatoes, plantains, and tobacco. Here too they witnessed a mortal combat between a whale and a sword-fish, in which the whale appeared to churn the great body of water about him into foam with his enormous tail. At Guadaloupe, in April, they stood and looked on wonderingly at the fierce boiling of a hot spring, in which a piece of raw pork was cooked thoroughly in the course of a few minutes. At the Isle of Virgins, they succeeded in capturing on the strand a large number of turtles which had come up at night to lay their eggs in the sand. While exploring the interior recesses of the Mona Isle, they jumped and shot down two wild boars, but failed to kill a huge wild bull that carried a pair of horns of the length of an ell between the double curves. Disembarking on the shore of another island, they picked up bird eggs in quantities sufficient to load two boats, while the clouds of shrieking wild fowl, wheeling overhead, darkened the sun.

At the close of the seventeenth day, the fleet had sailed beyond the outer border of the West Indian Seas, but here the ships were struck by a great tempest, dispersed, and driven

far from their intended track. It was not until the first week in May (n. s.) that they were reunited. On the sixth (n. s.), the watchmen in the crows-nests called out, "Land ahead." Soundings were at once taken, and cautiously the fleet advanced to the mouth of Chesapeake Bay, now visible between the north and south capes. When the passage within had been made, some of the company on board went on shore at a point not far from the modern Cape Henry. But there was little at first to satisfy their eager curiosity, beyond the sight of tall trees, and green savannas, and running streams, which appeared to them peculiarly ravishing after the monotonous plains of the ocean. As the explorers, however, were making ready to go on board of their vessels, they unexpectedly became the targets for a shower of arrows sent after them by a band of Indians, who had crept forward, bow in hand, on their knees, in shooting distance. Captain Gabriel Archer was wounded slightly in the assault, and one of the sailors was so grievously hurt that he died of the stroke. The Indians fled away in the darkness, after giving a great shout of triumph. It was the first time, but unhappily not the last, that the shrewd and sly savages were to take cruel advantage of the imprudent exposure of the English. It was not until after the massacre of 1622 that the colonists as a body were to learn that the Indians were always to be distrusted, and that they were never so dangerous as when they seemed to be most amiable and conciliatory.

On the night of the attack at Cape Henry, the box containing the names of the members of the council was unlocked and opened; and it was disclosed that the persons who had been chosen for that body were Christopher Newport, Bartholomew Gosnold, Edward Maria Wingfield, John Smith, John Ratcliffe, and John Martin. A brief reference has been made to the careers of Newport, Gosnold, and Ratcliffe. Of the latter, it may be added that he had been a soldier in the wars of the Low Countries, the principal school in which the military training of so many men of that day had been acquired. Wing-

field had served both in the Low Countries and in Ireland. He was a gentleman by birth, but not fitted for the duties to which he was so soon called. Indeed, he enjoyed but one real distinction in this first council—he was the only one of the patentees of the charter who came out to Virginia with the first expedition. Martin was the son of a baronet, and was originally designed for the law, but, changing his ambition, took part, as the commander of a ship, in Drake's dramatic excursion of 1685-86. He was to prove himself to be a tempestuous character in the subsequent history of the colony.

Smith was sprung from parents who occupied the social position of tenants on an English estate. While still a youth, having accompanied Lord Willoughby, his patron, to France, he was engaged, during several years, in fighting in the Low Countries; was afterwards shipwrecked in the waters of Scotland; was thrown into the sea by the French as a Huguenot; participated in the wars in Hungary for the expulsion of the Turk; was present at many sieges; took part in duels with individual enemies; and enjoyed a great variety of stirring experiences. He seems to have become interested in the Virginia enterprise several years before it was actually launched. The opportunities of prolonging his adventures, which it seemed to open up, must have appealed irresistibly to his restless and daring spirit.

The interval between April 26, and April 30, was used by the voyagers in spying out the character of the country adjacent to the Cape. First, there was an incursion inland, during which the fires of the Indians, with large and delicate oysters temptingly roasting on them, were found along the shores of the inlets, but no trace of villages was discovered and no savages were seen. Next the Bay of Lynnhaven, as it is now known, was explored in a shallop, and on its beach a deserted canoe, which had been made out of a single tree, was discovered. This primitive boat was forty feet in length. The only other sign of the presence of the Indians in the country visible was the cloud of smoke which rose above the top of the forest

at a great distance off. The ground near the streams was overrun with strawberry vines, on which grew berries four times larger than any that could be produced in England's soil. Captain Newport sounded the water along the southern shore of the Bay, and it was found to be so shallow that he began to fear that the further progress of the ships would be entirely blocked for lack of a channel; but an investigation of the bottom on the north side was more successful. Deep water was found at that spot, which led the relieved commander to name it Point Comfort. These explorations had been made in a shallop, which now returned to the fleet to report its discovery.

Before the Cape was left behind, it was given the name of Prince Henry, the heir to the throne, while the one on the other side of the mouth of the Bay received the name of Prince Charles, his brother.

On May 10 (n. s.), the three vessels moved up to Point Comfort, and here dropped anchor, while Newport in the barge continued to follow the line of the shore as it bent around to the main body of the modern James River. Near the site of the present town of Hampton, these advanced voyagers obtained their first interview with the Indians. But it required many peaceful signs to allay the suspicions of the savages so far as to persuade them to put up their weapons and accompany the strangers to their village, known in their language as Kecoughtan. Here the English were welcomed by the chief men with barbarous pomp and feasted with many native dainties. The peace pipe was smoked, and there was an aboriginal dance, full of strange and comic antics, and accompanied by a noise worthy only of a crew of devils or a pack of ravenous wolves.

From Kecoughtan, the shallop made its way slowly up the Powhatan in careful search for a permanent place of settlement for the colonists. At Paspheigh on May 14 (n. s.), Newport was received by an old werowance with a very loud but unintelligible speech. On the south side of the great river,



HENRY STUART, PRINCE OF WALES

another werowance, with a retinue of stalwart warriors, welcomed him to the tune of his own reed flute, which he played whilst he walked at the head of his tawny procession. The top of his head was covered with a crown of deer hair colored red, and each side was adorned with a large plate of burnished copper; his body was painted crimson and his face blue, with a sprinkling of silver ore; while from his ears were suspended large mussel pearls.

Bidding this highly decorated host farewell, the explorers on the barge on May 18th (n. s.), moved on up the river until they came to the region of the Appomattox River. Here the attitude of the Indians was not so friendly at first. Returning down stream on the 22nd (n. s.), they were attracted by the aspects of the country at a point afterwards known as Archer's Hope. The soil was a fertile loam; the vines there grew in great profusion; and flocks of birds were seen on all sides. A sounding, however, soon demonstrated that the water was too shallow to allow the ships to ride near shore. It was in the end perceived that Paspheigh possessed all the advantages of Archer's Hope without the disadvantage of an unsafe anchorage. The distance between the two localities was only eight miles.

Unhappily for the immediate prosperity of the colony, Newport's search for a permanent site, on this occasion, did not carry him beyond the mouth of the Appomattox River. North of that mouth, there existed a site quite as secure in itself as Paspheigh, and much further away from the unwholesome marshes than the valley of the lower Powhatan. The modern Farrar's Island, then a peninsula, was more easily protected from attack than the Jamestown peninsula at the hour of the first landing; and it was located in a more salubrious atmosphere and on higher ground, with a far larger area of soil available for tillage. Newport decided in favor of the modern Jamestown because it seemed to him to fulfill more exactly the conditions called for in the instructions to the council than any other site which he had seen in his preliminary

survey. The water near the line of shore was so deep that the ships could be tied by cable to the trees, and, for that reason, could be used as floating forts for the defense of the people within the town so soon as it had been founded. The soil in every direction was highly fertile and could be at once turned up for crops. Above all, this site was, at this time, cut off from the mainland, with the exception of a narrow neck that could be easily closed against invasion. Finally, it lay a long distance from the Bay, a fact which rendered it less vulnerable to Spanish assault by water. The voyage which Newport made to the falls after the debarcation of the main body at Jamestown either did not suggest to him and his companions a more favorable spot for the colony, or if so, it was thought by him to be too late to change the already adopted ground so abruptly. In accord with his report of what he had observed from his barge, the fleet moved up the river, and came to anchor at the modern Jamestown on the twenty-third of May (n. s.), a day that will be forever memorable in the history of the western hemisphere.

CHAPTER VI

JAMESTOWN FOUNDED

The landing took place on the following morning, and for the protection of the settlers the erection of a palisade and a fort was at once begun. The members of the council assembled and elected Wingfield to the office of President, an unhappy choice, as he was a man of feeble abilities and a querulous temper. He was probably picked out by his colleagues for a reason which was particularly powerful in that age—his social position at home was more eminent than that of his associates. Captain John Smith had no share in the deliberations of the council, for he was, at this time, under arrest for what was soon shown to have been the preposterous charge that, during the voyage to Virginia, he had been engaged in a treasonable conspiracy. He brought suit for the groundless accusation, and was awarded an affirmative verdict with damages, having previously been restored to his office of councillor.

The fatal experience with the Indians at Cape Henry had taught the new authorities at Jamestown—as the settlement was named in honor of the King—an important lesson for their future guidance in their relations with the savages, for, when the werowance of Paspasheigh, with one hundred armed warriors, asked to be admitted behind the palisade, his request was refused until he and his followers had dropped all their weapons; nor were they permitted to remain during the night.

On May 31 (n. s.), Newport, accompanied by Captain John Smith and others, left Jamestown—where the colonists were now building and sowing the seed of wheat in new grounds—to continue his voyage beyond the mouth of the Appomattox River, which had been the furthest point reached by him in the

barge before the vessels had raised their anchors at Point Comfort. He succeeded without obstruction in pushing his prow up to the foot of a great fall in the stream at the site of the modern city of Richmond. As the shallop made its way



INDIAN WEROWANCE

against the current, Indians were seen running along the banks, and every now and then stopping to offer the strangers gifts of strawberries, mulberries, bread, and fish. But what interested Captain Newport more than these acceptable presents of food was a sketch in the sand made by one of the savages when the Englishmen had come on shore to speak to them

in person. This sketch represented the Powhatan as flowing down from a great chain of mountains, beyond which there lay a mighty ocean of salt water, which Newport was convinced was the South Sea. In reality, this common impression among the Indians at the time of the foundation of Jamestown had its origin in their vague information of the existence of the Gulf of Mexico. The mountains that were pictured in the sketch were the Blue Ridge chain and the Alleghanies, and on their further side flowed the rivers that emptied their contents into that Gulf. It was said by the Indians that Opechancaugh, a chief only second to Powhatan in power, had migrated with many of his tribe to Virginia from the regions adjacent to that vast arm of the Atlantic Ocean. It is possible too that rumors of the Great Lakes had been carried across the Ohio and Potomac in the fierce excursions of savage warriors from the valley of the Mohawk, who then, as at a later day, swept down through Piedmont Virginia to attack the tribes of the far South.

At a feast which was spread out before Captain Newport and his companions at Arrahatock, the werowance drank so liberally of aqua vitæ that he became very drunk, which was taken by his people as a proof that he had been bewitched; and this not unnatural impression only passed away when he had fully recovered his wits. He showed his faith in the innocence of the liquor by earnestly asking for another dram.

As soon as Captain Newport found himself confronted by an impassable cataract in the river—which must have caused him acute chagrin, as he had expected to go straight on to the mountains in the shallop—he landed and erected a cross on one of the numerous islets that rose above the foaming waters at the foot of the falls. A solemn prayer for King James was offered up, and proclamation was made that the whole country would thereafter be a province of the crown.

Stopping on the voyage down the river at the village of the Queen of Appomattox, the Englishmen watched with curiosity the swarthy divers as they brought up many mussel pearls

from the bottom of the stream. The first news which Newport received on his arrival at Jamestown was that the fort had been assaulted by a band of two hundred Indians; and that it was only with the aid of broadsides from the cannon of the ships, lying just off shore, that they could be driven off; and then not so far away that they could be prevented from shooting arrows into the tents that sheltered the colonists. By this means, two of the latter were killed and several others wounded. The fort, even with the assistance of Newport's companions on his voyage to the falls, was not completed until the last week in June. It was constructed in the shape of a triangle, with its front on the river bank. The lines on the sides ran back three hundred feet respectively; the base or river line, north and south, four hundred and twenty. Heavy guns were planted on each of the several bulwarks.

Captain Newport departed with the fleet for England when the fort was nearly finished. The most curious portion of his cargo was a small nugget of real gold, which had probably been washed down to the cataract in the Powhatan from some remote stream in the modern Buckingham or Fluvanna County, where there are still many traces of veins of that precious metal. In addition to this genuine specimen, there was a large quantity of dirt, which had, in its composition, a few outcroppings of what appeared to be valuable gilt, but which, when analyzed, was shown to be worthless spangles. Newport also carried back with him a map of the great river, which was much more useful than the dirt.

There were now about one hundred persons crowded behind the palisades of Jamestown. The hot weather of summer fell in July. The colonists, accustomed only to the temperate climate of England, and forced to drink water which tended to purge them, owing to the presence of salt, began to languish with the tropical sicknesses, malaria and dysentery, and before the end of September over one half of the unhappy company had died. The black list included the names of Bartholomew Gosnold, who had successfully defied the perils of the sea, and

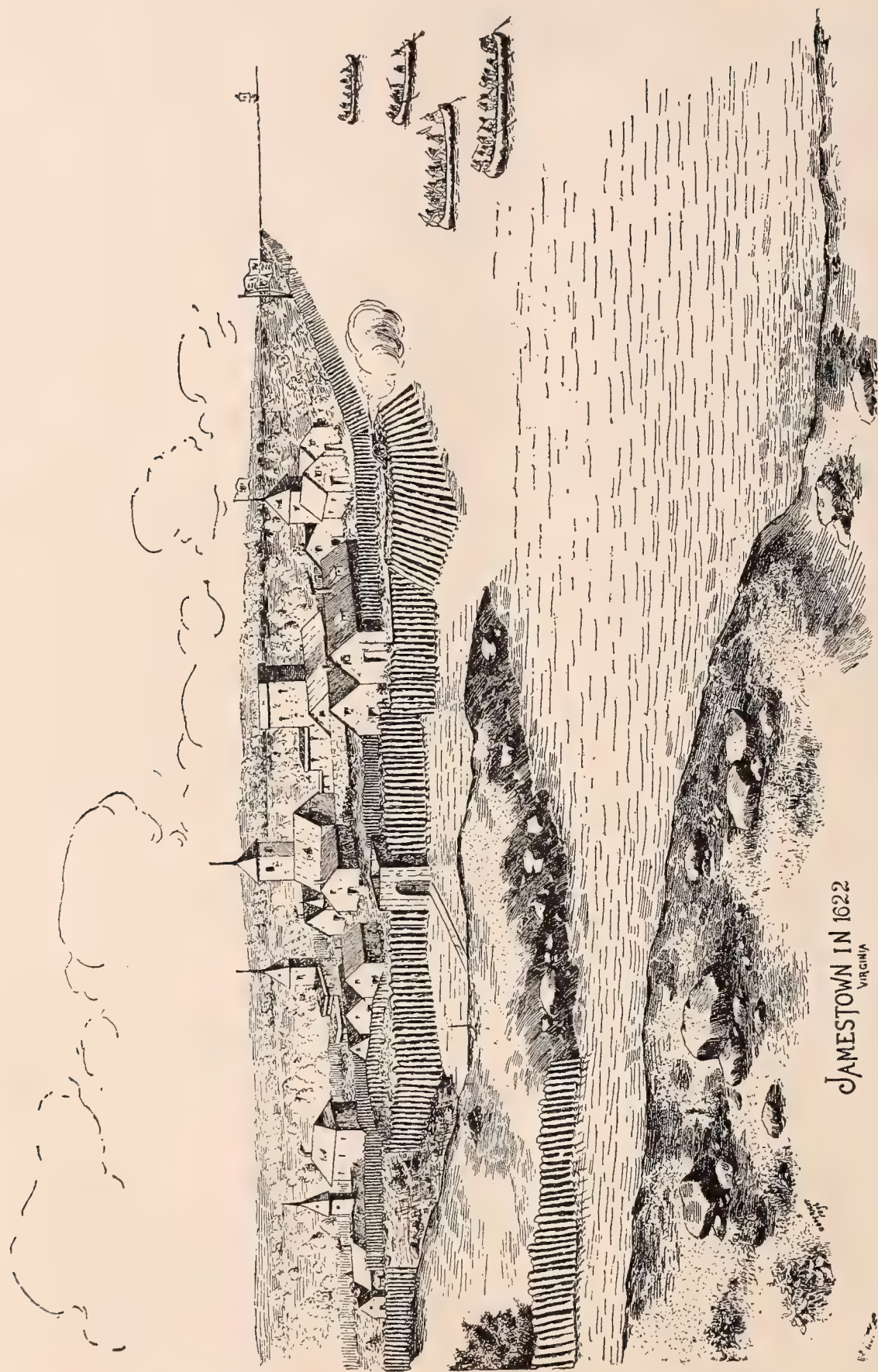
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Chris

John Studley, the custodian of all the supplies brought in by the ships, and of the commodities that were to be sent back to England. The town had been founded by men who had no real desire to pass the rest of their lives in that remote wilderness. The large majority, indeed, had come over on the impulse of adventure or of personal gain alone, and there were no women among them to produce that sense of domestic permanence, which, afterwards, was the most powerful influence that confirmed the American pioneers in their resolution to hew down the primæval wilderness. Depression of spirit sprang up among this company of men just so soon as the novelty of the situation had worn off. The persistent attacks by the Indians must have quickened the growing feeling of dismay. It was in just such a state of mind and heart as this that sickness, communicated by the evil taint of the atmosphere and water, would find a perfect hotbed for its growth.

Now was to be clearly discerned the folly of establishing the settlement on the site of Jamestown instead of at a point nearer to the falls in the river, or even in close proximity to that spot. We have already described, on the testimony of the early explorers themselves, the extraordinary fertility of the primæval soil along the banks of the Powhatan, the abundance of the aboriginal crops which it produced, and the profusion which marked the platters of every Indian wigwam. The river was full of fish, and the woods on the island itself teemed with game. And yet, in the midst of this paradise of natural plenty, the gaunt spectre of famine rose to view. "There were at this moment not five men in that whole company in possession of sufficient strength to work the guns planted on the bulwarks." All would have perished had not the Indians, with strange fickleness, brought roasting-ears of corn, fish, and venison, to appease, to some degree, the gnawing pangs of hunger. "If there were any conscience in men," says Percy, who survived, "it would make their hearts bleed to hear the pitiful murmurings and outcries of our sick men, without relief night or day for the space of six weeks; some departing out of



JAMESTOWN IN 1622
VIRGINIA

[Enlarged from a cut in the *Scheeps-Togt van Anthony Chester Na Virginia, gedaan in het jaar 1620*. Printed at Leyden by Peter Vander, 1707. A pamphlet. 12mo.]

the world—many times three or four in a night; in the morning, their bodies trailed out of their cabins like dogs to be buried.”

In this condition, which was attributable in a degree to the incompetence of the council—for many, if not all, of its evils could have been avoided by a wiser selection of a site for the town—it was only to be expected that its surviving members would be turning on each other with bitter recriminations. Wingfield seems to have aroused only an emotion of exasperated contempt. The most discerning and decisive of the councillors, Captain John Smith, was, for some time after his arrival at Jamestown, without any share in the deliberations of his colleagues, and was probably at first without any influence with them, owing to the charges against him, though soon shown to be false. John Kendall was dropped from the body and thrown into irons. The rest appeared to have fallen into a state of bewilderment.

Whilst all this misery and dissension were prevailing at Jamestown, Newport had arrived in England and submitted his report. In the light of the existing famine among the colonists, the details of that report sound like the expression of a cruel irony. “We have fallen on a land,” he wrote, “that promises more than the land of promise. Instead of milk, we find pearl, and gold instead of bronze.” But the bubble which he blew exploded for the moment at least when his gilded dirt was subjected to the tests of expert assayers and was found to be without even a speck of the precious metals. Still the council in London were only temporarily disheartened in their thirst for the discovery of these metals. Fortunately for the enterprise, there was a solid ground for encouragement in the wealth which the new country was said by Newport to possess in all those commodities which the English merchants had been importing from foreign lands. He was soon despatched again to Virginia with a quantity of supplies for the colonists, and also with a pinnace that could be carried around the falls of the Powhatan for the exploration of the upper reaches of

the stream in the expectation of finding the gold and silver rumored to lie under the surface of that region. In the meanwhile, the Spanish ambassador in London was looking on with a suspicious eye. "Your Majesty," he wrote in a letter to his King, "should consider that such a bad project should be uprooted now while it can be done easily."

Before Newport, in command of one ship—his consort, the *Phoenix*, under Captain Francis Nelson, having been blown off her course—arrived at Jamestown, which occurred towards the end of 1607, the flocks of wild fowl had returned to the waters of the Powhatan, and these, with the fish, which were caught in large quantities, served to relieve the pangs of extreme hunger that had caused so much suffering and so many deaths in the colony. The cool breezes of October and November had begun to produce a more robust atmosphere; and this too had proved beneficial to the unfortunate settlers who survived. And they were not now relying on rotten tents to shelter their bodies from inclement weather. Captain John Smith had succeeded Studley in the office of cape merchant, and he had not only quickly made provision for the erection of cabins, but had superintended in person the distribution of the remaining supplies; and when these began to sink to the last bushel, he, at the head of a small band of soldiers, visited Kecoughtan, Paspheigh, and Chickahominy, in turn, for the purpose of buying corn from the Indians. From Chickahominy, he procured seven hogsheads of maize, and from Mamahunt, four hundred bushels.

Instead of these cargoes of food creating a renewed feeling of encouragement among the men left at Jamestown, it only seemed to fan their discontent, until in one case at least a mutiny began to be hatched. The purpose of the conspirators was to seize the pinnace and make off in the night in that frail bark for England. Ratcliffe had taken the place of the deposed Wingfield as President, and he so far forgot the dignity of his office as to strike Reed, the blacksmith. Reed saved his neck from the gallows by disclosing a treasonable plot on the part



POCAHONTAS

of Kendall, who was summarily tried and shot. Then arose a discussion in the council whether the pinnace should not be dispatched to Newfoundland for supplies or even to England. But no decision was reached because those of the settlers who were to be left behind at Jamestown violently opposed the project, in their apprehension lest they should meet with the fate of Raleigh's lost colonists, after the last ship had disappeared down the river.

Captain John Smith as cape merchant felt little confidence in the success of the plan of sending out the pinnace to remote distances for food. He thought that the Indian markets near at hand offered a better chance of supplying the public needs. In December, he, with a little band of nine persons, took boat for the mouth of the Chickahominy River, for the purpose primarily of trading with the villages for corn, but, secondarily, of finding, through that river, if possible, a route to the South Sea. He pushed his way in a barge as far up the swampy stream as the depth of the water allowed, and then with two Englishmen and two Indian guides—the remainder of his crew being left behind in the barge—he paddled in a canoe up the shallow and winding channel. While walking through the woods with one of the guides, he was suddenly confronted by a large body of Indian hunters. He fired his pistol into their midst, wounding one fatally, and then endeavored to retreat, but, in slowly stepping backward, he fell into a morass and was captured, and was then dragged off to his canoe, where he saw the corpse of one of his men who had been slain. The other men had disappeared.

The Indians then led him to Opechancanough's hunting village in the forest, and from thence, he was taken in succession to Pamunkey, Mattaponi, and Rappahannock, and lastly to Werowocomico, the principal seat of Powhatan. Here he was forced to lay his head on a stone to be crushed by the clubs of swarthy executioners, but was rescued from death by the encircling arms of the Princess Pocahontas, the daughter of the Indian emperor. In saving the prisoner she was acting,

not only in sympathy with her own compassionate and loving disposition, exhibited on so many other occasions, but also in harmony with one of the popular customs of all the aboriginal tribes. That custom had been observed by the Spanish explorers in Florida; and it was observed a second time in Virginia when Spelman was snatched from death by the same favorite child of the old woodland monarch. As Smith killed one of the Indians when he was captured, the inexorable law of this primitive race required that his life should be forfeited, and only some interceding agency like that of Pocahontas can offer a satisfactory explanation of his return to Jamestown without the smallest harm having been done to his person.¹ Before his arrival, the survivors of the Chickahominy excursion had got back to the town in the barge and reported the fate of those members of the party who had perished.

When Captain John Smith entered the gate, he was immediately arrested by order of the majority of the councillors. Among them, his relentless enemy, Gabriel Archer—who had been elected in Smith's absence—was now included. Smith was put on trial for his life, as responsible for the death of his men, upon the strength of a law incorporated in the *Book of Leviticus*, a rather musty code for so late an age, and in fact used as an authority now as the only means of indicting Smith with some show of legitimate action. Preposterous as the charge was, and still more ridiculous the justification, the target of the councillors' ungenerous and vindictive spite was condemned to be shot, and the most competent man in all that heterogeneous assemblage would undoubtedly have suffered this ignominious fate had not Captain Newport's ship appeared on the southern horizon of the river and diverted attention from the proposed victim of official malevolence.

¹The only reason for questioning the truth of the rescue was that there was no reference to it in Smith's first account of his adventures in the colony, but this account is known to have been garbled before it was printed in order to remove from it the relation of any incident that might discourage emigration to Virginia.

CHAPTER VII

AFTER THE ARRIVAL OF THE FIRST SUPPLY

Only forty persons of the company of one hundred and four whom Newport had left in good health in Virginia the preceding spring, came down to the shore to greet him as he landed. The council had been reduced to two active members, Ratcliffe and Archer, for Gosnold had died in the epidemic, Kendall had been hanged, Wingfield was stewing in prison, and Captain Smith was under arrest awaiting the call of his executioners. Newport released Smith at once—possibly with some expletives in contempt of the hypocrisy of the trial under a Hebrew law which only some learned priest had ever heard of, and which no English court had ever dreamed of enforcing. The door of Wingfield's jail was also thrown open, and he was permitted to come out and go wherever he pleased, emitting as he did so, quite probably, a number of feeble, petulant ejaculations to the discredit of his enemies.

Archer, who had been performing the functions of recorder—if there were any duties really attached to that office in the Colony—had put forth the announcement that a parliament was to be summoned to discuss all the crying public questions. A ragged assembly that parliament would have appeared to be had it ever convened; and it would hardly have been in a mood to debate any subject except the advisability of abandoning Jamestown at the first hour that the means of doing so were made available. Newport put his resolute foot flatly upon the fatuous proposal, and nothing more was heard of it. He appointed Scrivener, who had been a companion of his last voyage, to a seat in the council, and he also showed his sense of the injustice with which Captain Smith had been

treated by his embittered colleagues, and also his high esteem for the energy and sound judgment of that officer, by naming him, too, to membership in the same body. Captain John Martin was also advanced to the like position.

The supplies which Newport had brought over were landed on the fourteenth of December, and three days subsequently, the little town, built of clapboard and logs and thatched with reeds, which had grown very dry under the rays of the hot summer sky, took fire and was burnt to a heap of ashes. The fort, the church, the dwelling houses, the stores reserved for the provisions and the ammunition—all vanished in smoke; and with them went the library of Rev. Robert Hunt, the faithful pastor who had come out in the spring of 1607, and who, by his cheerful spirit and unceasing ministrations under all hardships and discouragements had been almost the only moral support of that ever dwindling flock in the hour of their extreme misery. Acutely as he felt the loss of his books, not a word of complaint or regret crossed his lips. He continued to move about among his unhappy parishioners like some saint from Heaven, soothing the brow of sickness here, raising the drooping spirit there, and giving the closing consolation to the dying, or receiving their last words for communication to their families in England. No other colony of the mother country, long as has been the list of her settlements all over the face of the globe, was ever blessed on the threshold of its foundation with so great a disciple of Christ, or with so shining an exemplar of all the virtues of the loftiest manhood. And whilst he was the first, he was nevertheless not the last of that splendid type of English clergymen to which he belonged to establish himself oversea and perform the duties of his sacred office with the intrepid piety of the noblest missionaries of all time.

In February, 1608 (n. s.), Newport, again accompanied by Captain Smith and others, went aboard the pinnace, and rounding Point Comfort, sailed up the York—the Indian Pamunkey—to Werowocomico to visit Powhatan for purposes

of friendship and trade, and also to inquire about the most practicable route to the South Sea. That route, the old monarch declared—perhaps, without any intention to mislead—would take them to the falls of the Powhatan, and after the portage there, the boat could go straight on to another portage, and when that had been passed, there would be navigable waters which would bear the boat to the great ocean which was sought. The Gulf of Mexico was in his mind, as it had been in the mind of the Indian who had drawn the sketch in the sand.

Newport gave Powhatan a boy named Thomas Savage, who was to learn the Indian language and serve as interpreter; and he received in return a warrior who was to go back to England with the ship, and observe the various features of that country for the information of his master in Virginia. During this visit, the woodland emperor bore himself with so much dignity and discretion, in his untutored way, that the English who saw him were filled with admiration for his natural gifts. Advancing up the Pamunkey to the village of Opechanca-nough, the strangers were welcomed with barbarous stateliness and feasted with every delicacy that the country had to offer; and they were also able to purchase a large cargo of grain and peas.

When Newport set sail for England in April (1608), it was on board of a ship that contained many tons of dirt supposed to be rich in the precious metals. Smith had been constantly in his company during his sojourn at Jamestown and in his explorations, and had little patience with the confidence shown by the commander in the quality of this dirt. His impression was doubtless the one recorded by his associate, Todkill: "There was no talke, no hope, no work, but dig gold, wash gold, refine gold, load gold." Possibly if Smith and Todkill, like Newport, had been called upon to make a report to an English council, which valued the precious metals as the most desirable asset for a new colony, they would have felt more in sympathy with the old sea-captain's feverish wish to take

home the very thing that was most certain to assure him the warmest welcome and to redound the most to the welfare of the settlers themselves. But Smith and his friend did not confine their criticism to the cargo of dirt. "Not having use," so they drily remark in Smith's History, "for parliaments, places, petitions, admirals, recorders, interpreters, chronologers, courts, justices of the peace, we sent Mr. Wingfield and Captain Archer to England to seek some place of better employment."

Newport's ship had hardly sunk below the horizon, when Smith and Scrivener directed their energies towards the reconstruction of the destroyed town. The palisades were repaired; the church was rebuilt; the storehouse was recovered; the trees were cut away for the creation of new fields; and the old ground was prepared for the planting of maize, wheat, and vegetables. While these public works were in progress, Captain Nelson, who had wintered in the West Indies, arrived at Jamestown in the *Phœnix*; but he remained there only a few weeks, and when he left, he took out a cargo of cedar as recommended by Smith, and not of spangled dirt as recommended by Captain John Martin.

Smith accompanied the vessel as far as Cape Henry. This was in June, 1608. From the Cape, he sailed with his few companions up the Chesapeake as far as the mouth of the Potomac, and as he went along, he made a map of all the salient features of the shores. He saw everywhere savannas watered by copious brooks and deep woods frequented by wolves, deer, and bears. Again and again was the surface of the Bay silvered by the sunlight falling on the shoals of darting fish, or a sudden tempest would spring up and raise great waves around the boat. Smith bore always in mind that the rivers which he passed—which, at their mouths, resembled wide gulfs—might lead so far back into the land as to reach the South Sea; and so when he came to the Potomac, he turned his prow into its broad waters and sailed some distance up between its shores. He repeated this exploration when he

reached the Rappahannock on his return, but his only reward here was to be stung by a stingray so severely that, for a time, his life seemed to be in danger. By the last day of July, he had reached Jamestown again, where he found the settlers who had come over with Newport in a state of extreme sickness under the influence of the summer heat.

There were now residing in the Colony only two members of the original council—Ratcliffe and himself. Wingfield and Archer, as we have seen, had returned with Newport to England, and Martin, with Nelson, of the *Phoenix*. The people at Jamestown were dissatisfied with Ratcliffe in the office of President, and they clamored for his deposition and the elevation of Smith; but Smith cast his vote in favor of Matthew Scrivener, whose usefulness in the position after election was curtailed for some time by illness. Captain Smith now took advantage of the peace to make a second voyage to the Potomac, where the Indians implored him to become their leader in the war which was then going on between them and the warriors of Opechancanough. In the course of this exploration, he again entered the mouths of the Rappahannock and the Pyankitank, and he and his companions barely escaped with their lives from the fury of a tempest which overtook them in the estuary of the latter stream. On his arrival at Jamestown in September, he found Ratcliffe in prison on the charge of having instigated a mutiny. Scrivener had now recovered his health.

The council in England, while regretting Newport's failure to find gold on his second voyage to Virginia, were encouraged by the reports which he obtained from the Indians of the proximity of the South Sea. Once more they sent him back with a large quantity of supplies for the colonists. He also took out, as a part of his miscellaneous cargo, a set of chamber furniture and a crown for Powhatan. Numerous artisans too accompanied him. The Spanish ambassador still regarded the settlement in Virginia with a sinister and distrustful eye, and he continued to urge upon his King its extirpation at once.



CAPTAIN JOHN SMITH

CHAPTER VIII

ADMINISTRATION OF CAPTAIN JOHN SMITH

Only a few days after his return from his second voyage in the Chesapeake, Smith was elevated to the office of President, an office which he had previously insisted on declining in spite of popular importunity. Under the influence of his extraordinary energy of spirit, the complexion of the situation at Jamestown underwent an encouraging improvement—work on the large presidential dwelling-house which Ratcliffe, in his hour of supreme power, had ordered to be built, was stopped as of no public advantage; the rotting church was again repaired; a warehouse for the storage of the goods expected from England erected; the shape of the fort altered to make its walls more defensible; while the entire population was required to submit at least once a week to military training. All the boats were trimmed for commerce with the Indians.

A few weeks after all this work had been begun, Newport arrived at Jamestown with specific instructions to accomplish at least one of three acts, if practicable; namely, to find a lump of gold, or to discover the passage to the South Sea, or to obtain authentic proof of the fate of Raleigh's lost colonists. Smith was not pleased with these instructions. He thought that, in endeavoring to carry them out, valuable time, exertion, and supplies would be completely wasted; and he also thought that an inexpensive piece of bright copper would have been more useful to Powhatan than all the novel gifts actually brought over for him would be. Nor, in his opinion, would there have been as much danger that this copper would cause that monarch to overvalue his importance in his own eyes and make him more difficult to be influenced in the future. New-

port decided to deliver the presents in person when he found that Powhatan was too proud to come to Jamestown. "This country is mine," the latter replied when that request was made of him, "why should I go?" And go he would not. The gifts were transported to Werowocomico by shallop, whilst Newport and a retinue of fifty persons made the journey through the aisles of the woods. Among these articles was a scarlet cloak. Powhatan refused to put it on until Namontack, the emissary whom he had sent to London with Newport, persuaded him that no peril lurked in the act; and even then the shoulders of the grim and suspicious old barbarian had to be pressed hard before he would bend enough to receive the crown on his head. The volley fired in celebration of its successful placing caused him to leap up in a fright.

Powhatan refused to permit but one person, Namontack, to serve as a guide in the expedition projected for the country beyond the falls; and he further disconcerted Newport's plans by denying the accuracy of his own previous statements about the proximity of that region to the South Sea. Newport, however, was not to be discouraged, and accompanied by all the prominent men of the Colony, except Smith, he pushed his explorations as far up the great river as the mouth of the modern Rivanna. A refiner was taken along to test such ores as should seem to promise most. But no success followed.

In the meanwhile, Smith was employed at Jamestown with every available hand in hewing out clapboard as a much more valuable cargo than the adventurers up the river were likely to collect. The spirit which he exhibited in his own bearing became at once contagious. His companions listened with delight to the thunder of the trees as they fell to the ground, but as their palms were blistered by the helms in handling the axes, some oaths were sputtered out, until Smith prescribed that, for each one uttered, a can of water should be poured down the sleeve of the person guilty of it, and this punishment was so effective that, afterwards, not an oath was heard in the course of a week. "Thirty or forty such voluntary gentle-

men," said Smith, "did more work in a day that one hundred of the rest that must be pressed to it by compulsion." When this arduous task was finished, he got ready two barges and with twenty men went off to the Chickahominy for corn; and he returned with a load of one hundred bushels, although the Indian crop that season had been seriously foreshortened by drought. The seamen belonging to Newport's ship had taken advantage of Smith's absence to exchange with the savages, for furs, baskets, and other articles, all the agricultural implements and supplies of food which had been brought over from England on the last voyage.

As soon as Newport sailed from Virginia, Smith began again to visit the different Indian towns to procure a large quantity of grain; and in this scheme of obtaining subsistence for the colonists, he had the energetic cooperation of both Percy and Scrivener. His policy was to secure the corn peaceably if he could, but forcibly if he must. He was afraid that Powhatan would refuse to sell, and he had made up his mind to surprise that astute old savage in his palace, when he received word from him that he would load a ship for the English with maize, if Smith would only send him carpenters to erect an English house for his residence, and deliver at Werowocomico a grindstone, fifty swords, seven guns, a few pounds of copper and brass, and a cock and a hen. The request so far as it included the carpenters was at once complied with. Four Dutchmen and one Englishmen, who had been trained to the art of building, were dispatched to the Indian capital, and Smith quickly followed them in person. On his voyage thither by pinnace, he instructed Captain Sicklemore and two guides to travel through the woods to Chowan far to the south to find out whether any of Raleigh's lost colonists still survived. The report afterwards submitted by the members of this romantic expedition threw no real light on the fate of those unfortunate adventurers. There was a rumor that they had taken refuge among the Indians on the mainland opposite Roanoke Island, and had, in the end, coalesced with the savages in blood and

habit; but there was never any positive proof that this was their actual fate.

Smith, on arriving at Werowocomico, began to higggle with Powhatan for the corn which he had come for. The old chief was a close bargainer as well as a canny reasoner. "A bushel of maize," he said very shrewdly, "was worth a bushel of copper, for the one could be eaten and the other could not." Smith came quickly to the conclusion that Powhatan was trifling with him, in a spirit of sardonic humor, and he gave the signal to the men waiting in the barge at the shore to join him in the village. At this motion of his hand, Powhatan and the women and children scuttled away like rabbits to the woods. Returning to the pinnace, Smith and his company advanced up the river to the town occupied by Opechancanough. This he found apparently deserted; but, in a short while, that fierce chief, with a large retinue, approached the bank where the vessel was anchored and an active trading began. The Englishmen were now surrounded by so many savages that Smith grew alarmed for their safety, especially as there were signs of a hostile spirit in the general bearing of the Indians. "Let us fight like men," he exclaimed to his followers when the menace grew too plain to be mistaken. "Do not let us die like sheep."

When Opechancanough endeavored to back away, Smith seized him by a lock of his hair and directed a pistol at his breast. Still holding the evil-looking creature at arm's length, Smith led him up to where his warriors had gathered in a sullen crowd. "You promised to freight my vessel with corn," he cried out to them, "and so you shall, or I mean to load her with your dead carcasses." This threat, which was either not understood or defied, caused no alacrity among them to bring in the grain; but when, a few days afterwards, the barge was seen to depart, the Indians, under the impression that an order had been sent to Jamestown for reinforcements, hastened to transport to the pinnace a large quantity of maize, although they had to do so on their bare backs through the snow. Several of the crew who ate of this grain showed symptoms of poison.

Smith advanced further up the stream in the pinnace. At Mattapony, he was able to obtain only a small quantity of corn, and this was delivered up with such tears and lamentations from the women and children that even the hungry Englishmen were moved to deep compassion by their unfeigned distress. It was now the opening of the severe winter season, and the Indians were dependent upon their stores for their main subsistence during that part of the year. "If we had only made this voyage in the autumn," Smith records with impatient regret, "instead of idly exploring the Monacan country for gold and silver, it would have been easy to freight a ship of forty tons while calling at the villages along the Pamunkey, and twice as much was to be got along the banks of the Rappahannock, Potomac, and Patuxent." As it turned out, he delivered at the storehouse in Jamestown two hundred and seventy-nine bushels of grain acquired by an exchange of only twenty-five pounds of copper and fifty pounds of corn. He calculated that this amount of maize would sustain forty men for a period of six weeks in abundance.

The details that we have given of Smith's voyages in search of food discloses the practical judgment which he exhibited in the most vital department of his administration of the affairs of the Colony. There is no self-glorification in his record of these beneficent expeditions. They were looked upon by him merely as steps essential to the salvation of the settlers from ghastly famine, such as had several times already decimated the unhappy people. While this plan of obtaining food seems to have been precarious as a substitute for the production of corn in the Company's fields, yet in the absence of such fields on a large scale and of supplies from oversea, it was the only practicable one left to him to adopt if the town and its inhabitants were not to be completely destroyed. That Smith was not vain in describing his power over the savages, was proven, not only by his success in purchasing grain whenever he went out for it, but also by his escaping the fatal blow of treachery at their hands. He departed on these voyages and he always



PRINCESS ELIZABETH

returned without having had to pay the penalty of his life in consequence of the Indians' malevolence or his own carelessness. It was not of all his companions that this could be said. When he arrived at Jamestown from his tour at Pamunkey, what was he told as he set foot on the shore? That his associates in the Council, Scrivener, Waldo, Anthony, Gosnold, and eight other equally valuable men, had been drowned in the river by the upsetting of their boat on its way down stream.

When Smith came to inspect the contents of the storehouse, he found that every article left in it that was eatable had been damaged by the rats. But for the corn which he had been able to buy and bring back, the Colony would have been without food to support its people for the space of a week. Naturally, there had arisen among them a feeling of profound dismay,—only alleviated by the hope that the expedition of the President would change the situation of famine to one of temporary plenty at least. He, with that practical good sense which distinguished his administration at every turn, saw that only some form of continuous and systematic employment would remove the depression which had fallen upon the spirits of the colonists. He divided the population of the town into groups of tens and fifteens, and for all, he assigned four hours of sunlight to steady labor, and the rest of the working day to military exercises and amusing games. What direction did the labor take? The cultivation of the ground for the production of food, if the season permitted tillage. He instilled into them the need of industrious habits in making use of the soil. They must not expect to go on living in sloth because they thought that they could always rely upon the purchase of corn in the Indian villages, or the periodic arrival of supplies from England. They must work or they must starve. He who would not work should not eat; nor should the exertions of thirty to forty men who were willing to put their hands to the hoe and spade be allowed to maintain one hundred or more men who were too lazy to use those implements for their own subsistence. "There is no Council now," Smith exclaimed in

a public address, "to curb my decisions. I alone am left. All authority is now concentrated in me. He that offendeth will assuredly be punished." And he made a record of every man's daily labor with the view of encouraging the industrious and shaming the idle.

There were many persons in the town who were not only praying for its dissolution by the return of its inhabitants to England, but also conspiring by every means in their power to bring that fatal consummation about. This section of the population were in secret communication with the Dutchmen who had been sent to Werowocomico to build a dwelling-house for Powhatan. These foreigners received the powder, shot, and swords, which were smuggled into their hands from Jamestown, presumably for the specific purpose of encouraging the Indian King to make an attack on the little settlement on the river. The delivery was made at an appointed spot in the woods by a traitor within the fort. Smith, getting wind of the plot, quietly, with twenty men, stationed himself at this spot and arrested the emissary without resistance. Returning alone to Jamestown, he encountered the gigantic chief of Paspheigh in the path; they grappled; and the Indian dragged him into the river, where he would have been in danger of being drowned but for the opportune arrival of two of his men. Smith gripped the savage by the hair, while the two companions bound with strong cords, and led him away to the fort, from which he afterwards escaped.

Smith now adopted a fixed plan for overawing the Indians, who had been threatening the existence of the Colony; and by a course of action that was at once aggressive and conciliatory, the whole region in convenient distance of Jamestown became for the time being entirely safe for exploration. Advantage was taken of this interval of peace and friendship by Smith to improve the condition of the settlers. A well that yielded water untainted by brackishness was dug within the boundaries of the town; twenty new dwelling-houses were erected; many new weirs were constructed, and many new nets for

fishing substituted for the old. A fort of small dimensions, but of ample size for defense, was built at a point situated on elevated ground on the south side of the river. This was probably intended as a refuge in case the town was attacked by Indians and had to be abandoned; but to make this less of a possibility, a blockhouse was constructed on the neck of land which connected the island or peninsula with the main shore on the north side. There a garrison was stationed to break an assault at the start, should one be made.

Smith still perceived clearly that the cultivation of the ground was, in the long run, the most trustworthy means of warding off famine. In order to increase the returns from the soil, he caused two Indian captives to teach the colonists the best method of planting maize; but the area of land on the peninsula suitable for corn and wheat was restricted by the presence of marshes; nor was it considered wise for the tillers of the soil to work too far from the fort, as the Indians were always watching for the chance of killing an unprotected colonist. It is possible too that it was apprehended that, should the ranks of corn be allowed to grow into great masses in the immediate neighborhood of the town, the covert thus formed might become a fastness for the Indian bowmen.

The resourcefulness of Smith was not confined to expeditions to the Indian villages for grain or to the use of the soil for the production of crops. When the supply of food again began to run low, he transferred groups of colonists to different places where they could be more easily supported. One of these groups was dispatched down the river to an island to subsist on oysters; another to Point Comfort, still further on, to catch fish for food; another yet to the falls of the Powhatan to maintain life on the natural resources of the country in that vicinity. But this dispersal, by making it less difficult for the persons left at Jamestown to obtain enough to eat, did not modify their previous reckless determination to dispose of every article in their reach to the Indians for some trifling compensation. Swords, tools, ironware, rattles, or what not, were

furtively placed in the hands of the savages when visiting the fort, until it began to look as if no portable article that was salable would be left in the houses at Jamestown. "They heard," remarked Smith, "that Powhatan had one bushel of corn for sale, and these men would have sold their souls to get the second half after getting the first." In order to check this thievish and wasteful spirit, he announced that every man who failed to complete the task prescribed for him each day should be banished to the wilderness lying on the south side of the river. This threat created a murmur of discontent, but it was so effective that few ventured to run the risk of its being carried out in their case. As the result of the rigid discipline which he enforced among the company retained at Jamestown, and by the dispersal of the rest in different places, not more than seven or eight perished in a total population of nearly two hundred.

In summing up the history of the colony in the memorable year of Smith's Presidency, during a part of which time he was in sole charge of its affairs, we find that he acted upon certain clearly defined lines of policy. First, he kept the savages always in awe of the English; second, he required the colonists to rely mainly upon the soil of Virginia,—whether through its cultivation by the Indians or by themselves—for their own subsistence; and third, he constrained every man to work, not only as a means of increasing the supply of food, but also as a means of reducing the spirit of discontent which that remote situation, with its dangers and hardships, was so well calculated in itself alone to breed in their minds. It is true that he trusted more to the Indian markets for corn than he did to the colonists' own hoes; but there were reasons, as we have pointed out, why the land around the fort could not safely be made the scene of a great production of grain. Before this could be effected, the security of the situation had to be better assured.

It has been asserted that the existence of a so-called communal system in the beginning, by taking away all stimulus

for individual exertion, was the real explanation of the Colony's slow progress at that time. But no other system but the one in operation was feasible until the Indians had been subdued, for until then the dispersal of the inhabitants among their own separate holdings could not be rendered practicable and secure to the degree desired. This was proven thirteen years later by the Massacre of 1622.² If the scheme of the first settlement had been one of colonization only, no doubt more active military steps would have been taken from the start by the Company to protect the settlers from those confusing attacks, which, for many years, made the subdivision of the soil impossible. Smith was one of the few men interested in that great enterprise who perceived, with unwavering clearness, what should be the chief purpose that the transplanted Englishmen should always keep in view. We have seen the impatience which the search for gold and silver aroused in his mind; and he also thought, and so advised the London Company, that it was a waste of money at this stage to look to the Colony for supplies of pitch, tar, lumber, and the like commodities. "Your factors," he said, "can buy in Northern Europe in a week as much of these commodities as would be required to load a ship. It would be better to give five hundred pounds sterling for them in Denmark than send for them hither till more necessary things be provided, for, in overtaxing our weak bodies to satisfy this desire of present profit, we can scarce ever recover ourselves from one supply to another."

It has been customary to attribute the failure of these first years to the prevalence of various diseases, the depression of nostalgia, and the indolence of the colonists themselves. All these influences were, no doubt, at least partially productive of that condition,—but only partially. The first great mistake

²Another powerful reason for the establishment of the so-called communal system at the start was the necessity for a concentrated defense in case of Spanish attack which was always impending. It was not really a communal system. All the lands at first were owned by the London Company. The system was simply one of any modern joint stock association on a great scale.

was the establishment of the Colony without the participation of women. It is true that women had taken part in the settlement on Roanoke Island, but that settlement had been destined to ruin from the start, owing to its unfortunate situation. The difficulties which had to be surmounted at Jamestown were not more serious than those which all the successful pioneers in the later history of the continent had to overcome without any of the support which the London Company was constantly giving. The spirit which conquered the country west of the Alleghanies, when it was overrun with Indians, was the spirit which Smith was the first great Englishman to endeavor to inculcate in the breasts of his fellow colonists,—the spirit of self-reliance; and he set a strenuous and unceasing example for them all in his own action as the supreme head of the community.

It has been objected to him, as well as to Dale, the second of the two greatest administrators in the early history of Jamestown, that they did not rely for their inspiration on a more democratic principle of government. But there are times and situations when the rule of a wise and masterful dictator is essential to the safety of a new community; and never was this fact truer than it was of the community at Jamestown when Smith assumed the sole control of its affairs.³ “Because they found not English cities in Virginia,” he remarked, with justifiable bitterness in referring to the majority, perhaps, of that people, “nor their accustomed dainties, with feather-beds and down pillows, taverns and ale houses in every breathing place, nor such plenty of gold or silver as they had expected, they had little or no care of anything but to pamper their bellies, to fly away with our pinnaces, or procure other means to return to England. The countrie to them was a misery, a ruin, a death, a hell.”

³Threatened as it was on all sides by hostile Indians and Spaniards, Jamestown was, during these first years, a fort and not a plantation. No wonder Smith spoke with contempt of Archer's projected parliamentary government as a foolish method of administration in a situation that really called for military discipline.

CHAPTER IX

ADMINISTRATION OF CAPTAIN JOHN SMITH— CONTINUED

While Captain Smith was stoutly and successfully endeavoring to hold the colony at Jamestown together during the year 1608-09, events of great importance relating to the Company were happening in London. Newport reached England during the winter of 1609, and his report, coupled with the information already in possession of the members of that body, decided them to solicit a new charter of the King, which would do away with the faults and defects of the old as brought to light in its practical working. This new charter was drafted by Sir Edwin Sandys, the leader of the independent party in Parliament, which opposed the royal encroachments upon the rights of freeborn Englishmen, and advocated a policy of resistance to the crafty power of Spain. He had been educated in the austere atmosphere of Geneva, with its republican leanings. "If God from Heaven," he exclaimed, in a moment of profound dissatisfaction with the drift of affairs in England, "did constitute and direct a form of government on earth, it was that of Geneva." He was the most famous spokesman in his own country of liberal principles in national administration; and it is quite possible that, holding such opinions, he hoped almost from the beginning that the erection of a great colony in Virginia would redress some of the evils of that arbitrary spirit which even then was shaking the old political framework of the English kingdom. "Monarchy," he did not hesitate to say in the teeth of this spirit of the throne, "had its origin in election. The duties of sovereign and people are reciprocal. Neither side can violate the conditions of this relation with



SIR EDWIN SANDYS

impunity.” This was a rebellious doctrine in the eye of James the First, and it was natural enough that by it Sandys should bring down on his own head the vials of the Sovereign’s sour dislike and suspicion.

Under the provisions of the first charter, as we have seen, the community at Jamestown was a royal colony,—that is to say, it was at all times subject to the direct control of the King and his representatives. Under the clauses of the second charter, the right of administration was assigned from top to bottom to the London Company and its agents. The change diminished the chance of complications between the Spanish and English Governments, since the cautious, if not pusillanimous, James could own or disown the actions of the Company as expediency might suggest. If unsuccessful, the discredit would not fall on him, as he could disclaim all responsibility whatever. On the other hand, if these actions were successful, the royal prestige would necessarily be enhanced. Should the Spaniards plan to destroy the settlement by fire and sword, England could not be dragged into war to prevent it; nor could she be called upon to seek revenge, should that settlement be ultimately rooted up by the same cruel hands.

By the terms of the second charter, as by the terms of the first, the Colony was to be exempted from all external customs for a period of twenty-one years; and the first inhabitants and their descendants were again granted all the immunities, privileges, and liberties, which had been possessed immemorially by the natives of England.¹ Down to the end of the first seven years following the grant of the charter, the profits to be derived from Virginia were to be reserved to the joint stock associations which were to be formed under the supervision of the Company for the purpose of transporting people and supplies to the Colony for the maintenance of the community and the expansion of its trade. At the conclusion of this period,

¹This charter extended the Atlantic front of the colony four hundred miles, Point Comfort being the center. The South and North lines were to run back to the Pacific. “From sea to sea” are the words used.

the lands, now held by the Company alone, were to be subdivided according to the amounts which should be paid for them by individual patentees. A single subscription was valued at twelve pounds and ten shillings; and this share entitled the holder, when the subdivision should take place, to a specific area of ground in fee-simple.

One of the first acts of the Company, after receiving the second charter, was to petition the Mayor of London to assist in the acquisition of funds for its treasury by reminding the various guilds of the profit to be got by subscribing to its shares. The appeal of that officer was successful, and the same willingness to forward the Company's prosperity was exhibited in many other urban communities of the kingdom. The clergymen were especially assiduous in directing attention to the religious aspects of the enterprise; and much publicity was also given to its general aims by a series of pamphlets which were issued about the same time.

Under the terms of the second charter, the governor of the Colony was chosen, not by the majority of voices in the Council resident in Virginia, but by the majority of voices at a meeting of the Company's Council in London. To that extent, the system adopted in 1609 was less democratic than the one adopted in 1606, which was supposed to be so purely royal.²

The first governor elected under the new regulation was Thomas West, Lord Delaware. He was known as the Captain-General of Virginia; and associated with him in subordinate offices were Sir Thomas Gates, lieutenant-general, Sir George Somers, admiral, and Captain Christopher Newport, vice-admiral. Sir Thomas Smythe was retained in the office of treasurer in England. It was wisely planned under the new administration to send out many settlers, to be accompanied

²That the framers of the new charter, the liberal Sandys and others, were not desirous of establishing at once a democratic government in Virginia was shown by their subsequent introduction of martial laws. They doubtless recognized that the conditions were not yet ripe for a representative political system in the colony.



SIR GEORGE SOMERS

by their wives and children. Delaware did not embark with the first fleet, but, in his place, Sir Thomas Gates went with all the powers of sole governor; and he had the companionship of Somers and Newport; who were expected, after their arrival in Virginia, to pass backward and forward between England and the Colony, carrying additional immigrants and supplies one way, the commodities of the Colony the other.

Captain Samuel Argall was dispatched ahead to find a new route to Jamestown. On the fifteenth of May he embarked at Plymouth, and sailed directly westward, instead of southward by way of the Canary Islands. The main fleet, nine vessels in all, bearing Gates, Somers, and Newport, departed from the port of Falmouth a few weeks later. Captain Argall arrived at Jamestown on the twenty-third of July, twenty-four hours before Captain Fernandez de Eceza, the Spanish governor of St. Augustine in Florida, appeared off the Capes in his search for the exact site of the English colony. Argall boldly moved out to attack the intruder, but the latter shifted his rudder and discreetly sailed away towards the south.

Gates, who was accompanied by Ratcliffe, Martin, and Archer, of the former council of Virginia, was harassed by fever and plague among his crew all the way to the Canaries; and on reaching the Bahamas, he suffered the chagrin of seeing his fleet dispersed by a hurricane. One of the small vessels foundered in the tempest; the rest, with one exception, succeeded in reaching the Chesapeake. This exception was the *Sea Adventure*, with Gates, Somers, and Newport on board. As she was moving through the water one night, there became visible on her main mast a little round light, like a faint star, that trembled and sparkled, and at times passed quickly to the end of a yard and then returned. On the following night, the vessel was wrecked on the coral shoals of the Bermudas. This episode is thought to have suggested to Shakespeare the play of the *Tempest*. The officers and men were successful in reaching the shore.

Whilst they, with undaunted spirit, were occupied in con-

structing several small vessels of the tall cedars with which the island was overgrown, the main fleet was moving up the Powhatan to the anchorage at Jamestown. After the debarcation, a dispute arose,—fanned, it may be presumed, chiefly by Ratcliffe, Martin, and Archer, because they were his inveterate enemies,—to displace Smith from the Presidency, on the ground that his commission had been superseded by the one granted to Gates. But he refused to vacate the position until Gates's commission should be shown him by Gates himself. In that age, when official rules were observed with rigid fidelity, and any irregularity in official conduct was invariably punished with severity, this action on his part was justified by common prudence. Especially was he called upon to exhibit wariness and caution when the demand to surrender his authority came from men who were notoriously hostile to himself.

It seems to have been ultimately decided that Smith should continue to occupy the Presidency until the twentieth of September, when it was agreed that Captain West should succeed him. But Smith soon found himself in an atmosphere of unscrupulous intrigue, in which he was the principal target of the prevailing spirit of malevolence. For a time, he seems to have grown discouraged, in spite of his characteristic stoutness of heart, and expressed a desire to leave the Colony and go back to England. He probably perceived that he was too much hampered by the antagonistic influences surrounding him to accomplish the purposes which he thought alone assured both the safety and the prosperity of the Colony. But he was not the man to throw up his hands in the face of opposition, and his former determination to remain returned. In order to break up the faction that was conspiring to destroy his authority, he ordered West, with a company of over one hundred men, to set out for the Falls, and Martin and Percy, with an equal following, for Nansemond.

Before Martin left Jamestown, he was chosen President by Smith, who was still the only member of the council. In three

hours, Martin resigned the office, and departed for the station assigned him at Nansemond. Smith himself joined West at the Falls. He found on his arrival there that this officer and his men had so stirred up the hostility of the Indians inhabiting the immediate region round about, by robbing their fields and gardens, that they openly said that they preferred their old enemies, the Monacans, to these pilfering neighbors. Smith's power was now too much curtailed and damaged by the prospect of Gates's early arrival at Jamestown for him to exercise a continuous influence over the conduct of West and his company, especially as West had been selected to succeed him in the Presidency should the interregnum be prolonged beyond September 20th. He, therefore, made up his mind to return down the river, and hardly had he entered his boat when the Indians, provoked to murderous retaliation by the aggression of the Englishmen at the Falls, crept through the underbrush with tomahawk and bow and arrow and killed and scalped every soldier who had straggled from the camp.

Smith's vessel, having run fast upon a shoal of sand, he went back to the Falls, and resuming his old habit of command, with characteristic vigor and sternness, he put six or seven of the men in shackles, and ordered all the others to repair the old Indian fort that was standing not far off. He then set out for Jamestown again. On the way down the stream he inadvertently fired the contents of his powder bag. In his violent pain, he leaped into the water and was only rescued from drowning by his companions; and in this condition of extreme agony, he was compelled to continue his voyage, with over one hundred miles to traverse.

After his safe arrival at Jamestown, there was a reasonable basis for suspecting that his enemies, Martin, Ratcliffe, and Archer, were plotting to remove him by the hands of assassins, and would have succeeded had not the would-be murderers faltered at the crucial moment. He was now in too low a state of physical infirmity to suppress the factions or to search the outlying regions for provisions even if his authority as President

had not come to be despised. It is true that his old soldiers were so much incensed by the open or covert attacks upon him, that they could, with difficulty, be restrained from putting his principal opponents to the sword; but he himself was too wise, in spite of his impatient spirit, to think that he could serve the interest of the Colony at an hour when his commission was in dispute and his health shattered. He was not permitted to occupy his office up to the close of the term agreed upon, but was roughly deposed by Martin, Ratcliffe, and Archer, on the ground that he had gathered into his own hands, and insisted upon retaining, all the reins of government. Ratcliffe, whom Ralph Hamor asserts "was not worth remembering, but to his own dishonor," recorded it as a fact that Smith was sent back to England by force "to answer some misdemeanors;" but as no charges were lodged against him on his arrival in London, the supposed "misdemeanors" were not sufficient in the view of the council in England to justify even his indictment.

Smith was a man of such aggressive and impatient temper, such firmness and decisiveness of mind, such supreme confidence in his own judgment, that, like all persons of this spirit who have played a part in history, he made bitter enemies and ardent friends with equal facility. It has been charged against him that he had few kindly words to say in favor of those who were associated with him in the first colonization of Virginia; but being blunt and honest even in the expression of his self-esteem, it was natural enough that he should have had small toleration for the feeble or designing persons whose duty it was to cooperate with him as his official equals. It is a man's subordinate comrades who are in the best position to form a correct impression of his real greatness, for their vision is unclouded by big or petty jealousies and rivalries. What did his old soldiers, who had followed him cheerfully and faithfully through a thousand perils by land and water, and had never known him to flinch or pause,—what did they say of their departed leader? "Thus he left us," exclaimed one of these soldiers, who had accompanied him to the ship and saw him

shake the dust of Jamestown from his feet for the last time, "him, who, in all his proceedings, made justice his first guide and experience his second; that hated baseness, sloth, and pride, more than any dangers; that never allowed more for himself than for his soldiers with him; that, upon no danger, would send them where he would not lead them himself; that would never see us want what he either had or could, by any means, get us; that would rather want than borrow, or starve than not pay; and that loved actions more than words and hated falsehood."

What were the services to the Colony of this great man,—this only great man in the first three or four years of its history, the years that were to decide whether Virginia could be permanently settled by persons of the English race? First, he explored the virgin country far and wide, and mapped, with astonishing accuracy, all its salient features; second, he made a fruitful study of the qualities of the Indian character and a complete record of Indian resources, which were to prove of extraordinary value in the later relations of the English with the savage tribes; third, he rescued the community from a destructive famine on more than one occasion by his energetic commerce with the Indians; fourth, he prevented the return of all the settlers to England at least thrice; fifth, he demonstrated that it was feasible to establish branch colonies at different places in regions many miles apart from each other; sixth, he compelled the Indians at times to cooperate in support of the whites; and seventh, and finally, he took steps to have the aboriginal methods of cultivating maize and vegetables adopted in the fields around Jamestown. It was the departing ship of this practical benefactor of the Colony which was held back from sailing for a period of three weeks for the single purpose that charges might be trumped up against him and formulated in writing. "All whom I had either whipped, punished, or disgraced," he himself afterwards justly complained, "now had the free power to say or swear anything against me."

CHAPTER X

ADMINISTRATION OF GEORGE PERCY

The first act of the framers of all these accusations, Martin, Ratcliffe and Archer, was to elect George Percy to a seat in the council, and their second, to choose him President of that body. There were, perhaps, two reasons for this course on their part: first, Percy was the brother of a great English nobleman; and second, he was a man, though of good intentions, of a weak character, which not only unfitted him to rule, but also made him very ductile to the wishes of his designing associates. What was the history of the Colony under his feeble administration, which succeeded the vigorous, if dictatorial, administration of Captain John Smith? The community, in a short time, reached the lowest point of decay ever recorded in its annals. For this unhappy condition, five men were responsible,—Percy, West, Martin, Ratcliffe, and Archer.

When the vessel which brought over Ratcliffe and Archer arrived at Jamestown, the following was the general condition of the Colony: there were three ships and seven boats in use, and there was also a large quantity of merchandise for exchange with the savages; the harvest was newly gathered; and provisions sufficient to last for a period of ten weeks had been put away in storage. The population numbered four hundred and ninety persons. There were twenty-four pieces of ordnance and three hundred muskets and other guns, and shot, powder, and match in proportion; one hundred trained soldiers; nets for fishing, tools of all sorts, and clothes; six mares and a stallion, several hundred hogs, a few goats and sheep, and numerous poultry. Above all, the settlers were in a state of complete peace with the surrounding tribes. The



RICHARD MARTIN

first vessels of the fleet to come in after the great tempest added about two hundred persons to the circle of the inhabitants. It was due to the augmentation of the population and to the inroads on the supplies which resulted that led Smith to send several companies under West and Martin respectively to places where the necessary food for their support could be more easily purchased from the Indians.

Percy, having succeeded Captain Smith in the Presidency, dispatched Ratcliffe to Point Comfort, with instructions to build a new fort there, which he did, and to this fort the name Algernon was given. He was also ordered to keep an unremitting outlook for any strange sail which might appear off the coast. Fish were very plentiful in these waters. Martin, leaving Nansemond, returned to Jamestown to avoid the stroke of the tomahawk, for he had, by his conduct, been successful in arousing the hostility of the Indians. He left Lieutenant Sicklemore in command. Sicklemore's men soon fell into a mutiny, and seventeen of them, seizing one of the boats, set out for Kecoughtan, but, owing probably to a capsizing through a sudden tempest, were never heard of afterwards. Sicklemore and many of his remaining company were in a brief while slain by the treacherous savages, who took a derisive glee in thrusting pieces of bread into the mouths of the corpses.

Captain West lost many of his men before he abandoned the fort at the Falls; and eleven more were killed at Arrahatock in the voyage down the river. He found at Jamestown barely sufficient provisions to sustain the population for a period of three months. This fact caused Percy to send Ratcliffe from Point Comfort to Werowocomoco to procure corn from Powhatan. Ratcliffe, after arriving there, was so foolish as to permit the son and daughter of that wily old fox to leave his vessel instead of holding them, at least temporarily, as hostages. Going on shore with a company of men, he took no measures to prevent them from straggling among the scattered wigwams in parties of twos and threes. Sud-

denly the Indians rose upon them and killed the entire number before they could escape to their boats. Ratcliffe himself was seized, and having been tied naked to a large tree, he was given over to the tortures of the squaws, who scraped the flesh from his bones with the sharp edges of mussel shells, until he gave up the ghost in an exquisite agony.

Undeterred by the horrible fate of Ratcliffe, Percy ordered Captain West and a company of thirty-six soldiers to make a voyage to the Potomac in a pinnace to obtain a cargo of maize, and this mission was successfully accomplished only after the destruction of numerous Indian towns. When West reached Fort Algernon on his return, he was informed by Captain Davis, who was then in command there, that Jamestown had sunk again into a condition of famine and despair. Instead of pushing rapidly on up the river, he either voluntarily,—which is most probable,—or under the constraint of his men, hoisted the sails of his little ship and made off between the Capes to the open ocean on his way to England, “leaving us,” as Percy records in his account of this cowardly and disgraceful episode, “in extreme misery and want.”

The history of the days at Jamestown which followed is revolting in its hideous details of famine and crime. Some of the starving wretches robbed the general store and were executed. The few horses and cattle now living were butchered and devoured, and the ravenous people took to eating dogs, cats, rats, and even the leather of their shoes. The woods were feverishly explored and roots dug up and consumed, however unpalatable. Many of the searchers were scalped by the Indians in ambush. Soon this resource failed, and the graves instead were robbed of the corpses to serve as food. One man cut the throat of his wife, ripped the child from her womb, and then dividing up her body, salted down the pieces for consumption, as if they were the parts of a pig or ox. It was afterwards said that the success of Captain Tucker in building a large boat with his own hands and using it in catching fish, alone prevented the famished people from flying

at each other in the spirit of South Sea cannibals. In spite of the fear of the Indians, many persons ran away through the dark woods to the aboriginal villages, to be either burnt at the stake or adopted permanently into the tribes, and never again to be seen in Jamestown.

It is one of the most striking evidences of Percy's incapacity that, although surrounded by all this misery and violence, it does not seem to have occurred to him, until too late, that supplies were still to be obtained in considerable quantities from Kecoughtan. When he visited that fertile spot down the river, he found the settlers there in the enjoyment of such plenty that they were able to feed their hogs on crabs, which, had they been sent to Jamestown, would have altered the famished condition of the unhappy people to one of comparative abundance. He acknowledged, in noting this fact, that the entire company in that town could have been fully accommodated with food and shelter at Kecoughtan had its inhabitants been transported by boat to that fortunate spot in time. Why was not an investigation made at an earlier date, and why was not the population of Jamestown preserved from destruction by so simple and obvious a course of action? During the interval between October 14th, 1609, and June 20th, 1610, about one hundred and fifty of the colonists had died, either from direct starvation or from the diseases that follow a famine.

While Jamestown was in the shadow of this terrible affliction, although it was situated in one of the most fertile valleys of the world, the shipwrecked company in Bermuda were constructing their cedar vessels. By the eleventh of May, 1610, one pinnace of eighty tons and another of thirty had been launched, and nine days afterwards their commanders ventured boldly out into the wide ocean. Eleven days more and they had anchored at Point Comfort. Here they took on board the astonished Percy, and at the end of forty-eight hours they arrived at Jamestown. The town had sunk into a repulsive condition of dilapidation, whilst its population had

been reduced to fifty persons, so lean and meager in flesh that they resembled skeletons more than human beings. "We are starved, we are starved," was their first pitiful cry of greeting. Several died from a paroxysm of pure joy. One man, whose wits had become disordered as the result of destitution, rushed disheveled into the market place. "There is no God," he shrieked, "for if there was a God, he would not suffer his creatures to experience such miseries." And he then vanished into the woods, where he was soon devoured by the wolves.¹

Gates, whose firmness of character had been probably shaken by the shipwreck off Bermuda, was so much shocked by the appalling scenes which now confronted him at every corner of the unhappy town that he determined on his own responsibility to tear up the Colony by the roots and sail away with the survivors to England,—a decision which, however natural, has discredited his name in history. Had he reached Virginia along with his main fleet, without having endured the harrowing experiences which really befell him, he would have found it in a condition, under the administration of Smith, that would have inspired him with hope instead of filling him with despair, as now, when he looked around and saw so many signs of failure stamped upon the face of every thing, in consequence of the incompetence of Percy and his council. Four pinnaces were soon made ready for the voyage homeward. One of these was dispatched ahead to Point Comfort to take off Captain Davis and the garrison there; and at noon, on the seventeenth of June, all the people left in the town were ordered to go on board the remaining three vessels. There was great anxiety among them to set fire to the houses before they should depart, but Gates prevented this by being the last man to mount the deck of his small ship. It is to be inferred from such watchfulness on his part that he expected that the Colony would be re-established; but his desertion of the spot was not encour-

¹This incident reminds us of the similar incident that occurred during the Great Plague in London.

aging for its future restoration. A salute to the abandoned fort, as the sails were set free, was like an act of mournful irony.

On the following day, as the three pinnaces were passing Mulberry Island, their consort, which had been sent ahead to Point Comfort, was seen returning up stream. Captain Brewster was observed to be on board, and so soon as his vessel had come up close enough to allow him to ascend to the deck of Gates's little flagship, he delivered to that commander letters from Lord Delaware, who had halted his fleet at the mouth of the river. This fleet had brought over one hundred and fifty men, besides a large quantity of ammunition and stores of all kinds. Delaware, it will be remembered, when appointed Captain-General of Virginia, had not accompanied the first expedition, which sailed under Gates's command. When news of the disasters to that expedition reached England, a feeling of discouragement fell upon the members of the Company, and many of them refused to subscribe any additional sums. But on Delaware announcing his purpose to set out for Virginia in person, a large band of supporters started up eager to offer him their purses, credit, and active assistance, in procuring the supplies of all sorts which he would need for his projected voyage. There left England with him a considerable number of men of high social position; and there were also numerous artisans, besides several expert assayers and vignaroons, on board.

It has often been said that, had Gates returned to England with the entire English population of Virginia, its settlement would, perhaps, have gone no further; but it is quite certain that Delaware considered it to be a point of personal honor with himself to carry the Colony to a permanent stage of prosperity; and this feeling on his part would have been far more stimulated by Gates's arrival, had the latter gone straight home with his passengers, than it had, in reality, been by those reports of declining fortune which had been brought to England by the vessels of the original fleet, which had

already returned. The latter news was sufficient to arouse Delaware to take immediate steps to rescue the Colony; and Gates's desertion of it would have been an even greater spur to restore it. There was no substantial danger that Virginia would ever have been permanently abandoned after the success that was achieved by Smith's administration.²

²It is for this reason that Smith is regarded as the true founder of Virginia, which was the beginning of the permanent English settlements that have expanded into the modern United States of America.

CHAPTER XI

ADMINISTRATION OF LORD DELAWARE

Delaware, accompanied by Gates, disembarked at Jamestown on the afternoon of June 20th, 1610; and so soon as his foot touched the ground, he fell on his knees and offered up a silent prayer to God. He then walked in state to the church and listened to a sermon by Rev. Richard Buck, one of the saintly apostles whose piety and fidelity have cast so much glory over the early history of the Anglican church in Virginia.

The population now numbered about two hundred persons. It has been mentioned that the fort was shaped like a triangle, with its base fronting on the river. The houses stood in a row along the three lines of this triangle, while, in the open space between, were situated the market and the store-house; and not far from the latter arose the chapel, which Delaware soon adorned with pews and a pulpit of fragrant cedar. A chancel of cedar was next added, and also a communion table of black walnut. Daily the fresh flowers which ornamented the altar and every coign of advantage in the edifice were renewed. The governor required a strict observance of religious rules. Two sermons were delivered each Sunday and a third on Thursday. While attending the services, he always sat in the choir in a green cloth chair, with a velvet cushion at his feet on which to kneel; and around him were seated the subordinate officers of his administration. When he walked about the town, he was always escorted by a guard of fifty soldiers.

Delaware was a pompous man, who seems to have maintained a show incongruous with the mean surroundings of the little town, but it is possible that, in that age, when there was so much veneration for rank, this formal demeanor had an



THOMAS WEST, THIRD BARON DELAWARE

encouraging influence on the spirits of the colonists because it appeared to be almost regal in its aspect, and, therefore, suggestive of a power and resource which no previous governor had ever possessed. The state in which he indulged was the habit of his class in those times, and not simply a characteristic of this one nobleman. But the impression is left on the mind that he was an elderly person singularly devoid of the faculty of humor. Nevertheless, his course of rule proved him to have been at bottom a man of sense.

His first step was to continue the rigid laws—ecclesiastical, political, and martial—which Gates had been instructed to put in operation in the Colony. This code was the first in writing that was ever proclaimed in the area of the present United States. It has been severely criticized as inconsistent with the free principles which prevailed in England even in that harsh century, but, in the circumstances which then surrounded the Colony, its introduction was essential to the enforcement of the strict discipline through which alone the infant settlement could hope to survive. It was said at the time, that, in consequence of these stiff regulations, every man in Virginia knew his duty and discharged it with alacrity. Delaware set the vignaroons to work to test the virtue of the native vines, and he distributed the rest of the population—when not employed, like the artisans, in specific tasks—among the fields and woods for the production of supplies for the support of the colonists. To diminish further the calls upon the articles of food which he had brought over from England, he despatched Somers and Argall to Bermuda for two cargoes of bacon, and Captain Tyndall to Cape Henry for one of fish.

The Indians had never ceased to darken the peace of the Colony. To punish repeated depredations, Gates was ordered to extirpate the branch tribe seated at Kecoughtan, which had recently murdered Lieutenant Humphrey Blunt; and in order to remove all danger of similar deadly attacks in the future, in that particular quarter, two forts were erected at the mouth of the Hampton River in the vicinity. The prospect

of want at Jamestown was dispelled by the return of Argall from Newfoundland with a load of dried codfish. He had been driven off his course before he could reach Bermuda. Somers died in the progress of the voyage; his crew, however, arrived safely at that island; but, instead of returning to Jamestown with a cargo of bacon, they collected a large quantity of ambergris and set sail for England.

Unfortunately, Delaware, like all his predecessors, except Captain John Smith, was possessed with the delusion that the country was rich in precious metals, and this will o' the wisp diverted his attention from more practical enterprises. Captains Yeardley and Brewster were sent off towards the region above the Falls, where traces of gold and silver had been formerly discovered; but the expedition did not succeed in penetrating far, owing to the murderous hostility of the savages, who killed fifteen of the men at the mouth of the Appomattox, and tomahawked young West, a nephew of Delaware, in the woods higher up the Powhatan. Owing to these and the like disasters, the garrisons of all the outside stations, with the exception of Point Comfort, were drawn into Jamestown, and an attempt was made to obtain supplies for the people there by voyages under the energetic Argall to the Indian villages situated on the great streams towards the north. But not only did the food begin to run low again, but sickness with the arrival of summer showed its destructive presence. Delaware was one of the first attacked. He fell a victim to ague, which was followed by dysentery, and this in turn by cramp, gout, and scurvy—a succession of ailments which, in the end, prostrated him. His life, perhaps, was only saved by his departure from Virginia. He set out in the ship commanded by Argall for the West Indies in order to take the hot baths of Mevis, but the vessel was driven by a storm to the Azores, and as the pure air of the sea had before his arrival there restored his health, he decided to make for England.

Percy had been instructed to hold the deputy-governorship

until Sir Thomas Dale should come. Although his health was always infirm, he had never succumbed to the malignant influences of the climate, and was always in the physical condition to step in whenever an official vacancy through either deposition or absence occurred. While Delaware was stopping at the Falls in the company of the members of the expedition which was to explore the country of the Monacans for gold and silver, Percy was left at Jamestown as the governor's substitute and representative. During this interval, he led an attack on the Paspasheigh town. Many of the Indians there were killed, and the Queen and her little children captured. The children were thrown from a boat into the water and cruelly shot like so many mad dogs, while the wretched Queen was taken back to Jamestown, and there held—Delaware being sick on board of one of the vessels in the river—until she was led out into the woods, after a weak protest from Percy, and murdered in cold blood.¹ It was during Percy's temporary administration that Lieutenant Puttock, who was in command of the block-house on the mainland, suffered himself to be drawn into an Indian ambushade nearby, in which he lost his own life and the lives of many of his men as the result of his ill-timed hardihood and overconfidence.

Sir Thomas Dale was expected to relieve Percy after Delaware's departure, and to hold the position of deputy-governor until the lieutenant-governor, Sir Thomas Gates, should come back to Virginia. Dale was now employed as an officer in the wars in the Low Countries; he was a favorite of Prince Henry, the heir to the throne; and it was through the latter, who was deeply interested in the success of the Virginia enterprise, that he was granted a furlough which would allow him to serve for a time in the Colony. He was a pious and upright man, a brave and faithful soldier, but a stern disciplinarian.

It seems that, when Gates returned to England in Septem-

¹An account of these brutal incidents is given by Percy in his *Relation*.

ber, 1610, leaving Delaware firmly established in his government, he had greatly encouraged the Company by his description of the resources of Virginia, and this body in January (1611) issued a broadside in order to obtain a large number of emigrants, and adopted other measures, such as a lottery, for assuring the future prosperity of the Colony. They had already taken steps to acquire a new charter which would bring the Bermudas or Somers Isles under the same jurisdiction as Virginia.

In March, 1611, a small fleet, with Dale on board, set sail from England; and these vessels were, after an interval, to be followed by others carrying Gates, and also a large quantity of supplies and many emigrants. It was not thought to be prudent to despatch both sets of ships at the same time. A new charter known as the charter of 1612, was drafted by Sir Edwin Sandys, and its most important clause was the one which transferred the transaction of the principal business of the Company from the treasurer and council to the quarterly sessions of treasurer, council, and stockholders. This provision made the Company a more popular body, which was, no doubt, the purpose which Sandys, the most republican statesman of that day, had expressly in mind; but he really brought into being a dragon which, in the end, was to devour the Company itself. A party spirit was now generated within its bowels that had previously hardly existed. A faction soon arose which was in favor of continuing the operation of the martial laws which Gates had introduced, Delaware approved, and Dale was to enforce. The other faction declared in favor of their abrogation, and the establishment of a system in harmony with the government in England. One faction was led by Sir Robert Rich, afterwards the Earl of Warwick; the other by Sir Edwin Sandys, Lord Southampton, and others of the like liberal principles. The manner in which these antagonistic policies, which pursued many ramifications, developed, will be recorded by us at a later stage of our narrative.

CHAPTER XII

ADMINISTRATION OF SIR THOMAS DALE

The fleet carrying Dale to Virginia dropped anchor off Point Comfort in May (1611). There were three hundred new colonists aboard, besides numerous goats, horses, and kine. The governor, who was a man of extraordinary energy and decision of character, was unwilling to wait until he should reach Jamestown before setting his hand vigorously to the administrative plough. He started in at once to repair the forts that had been previously erected at the mouth of the Hampton River, built houses for the new settlers, and personally directed the cultivation of the ground in maize. Accompanied by Percy, he landed at Jamestown on the twenty-ninth of May. He hardly stopped to look to right or left before he continued the beneficent work which he had begun at Kecoughtan. He undertook at once the digging of a new well to obtain a purer supply of water, and he ordered the prompt construction of a new block-house, a powder magazine, a warehouse for the ammunition, and a shed for drying sturgeon. He also had erected a smith's forge, a shed for the cattle, and a wharf for the ships; and he fully repaired the existing church edifice and storehouses. For some of these structures he supplied the bricks by his own manufacture. He wrote to the Company in England to send out to Virginia a number of seamen and doctors—the seamen, to engage in constant trade with the Indians; the physicians to combat the sickness of the country.

Accompanied by soldiers in armor, Dale explored the Nansemond River, and was so exposed to the assaults of the savages at one stage of the voyage that he was only saved

from death by his headpiece when an arrow struck it with full force and glanced away. He was already looking out for a safer and more wholesome site than Jamestown for a permanent place of settlement.

His determination to secure such a site was strengthened by the capture of a Spanish spy. A Spanish sloop arrived off Fort Algernon in June (1611), and its commander sent three of his crew on shore, ostensibly to obtain a pilot to carry him off the coast. The boat that brought the pilot to the sloop did not bring back the three men, who, in consequence, were put under arrest, and when the demand came for their surrender, Captain Davis's only reply was "Go to the devil." The Spaniard, no doubt, satisfied with his manoeuvre, sailed away with his English pilot. It was feared in the fort that he had consorts outside the capes, and that an attack in force would soon follow, but none came. Diego de Molina was the name of the chief spy, and the Spanish plan was to recover him by diplomacy in time to receive a full description of the Colony's defenses as they then stood; and this plan was afterwards carried out, and Molina lived long enough to lead an expedition by sea against Virginia, which was only halted by the mutiny of his crews. One of the three spies died at Jamestown, whilst the third, an Englishman by birth, was hung as a traitor to his country.

Dale aroused by the dangerous suggestiveness of this incident, was about to visit the upper sections of the Powhatan, in order to select a new site for the Colony, when Gates arrived. The latter's fleet of six vessels entering the Bay was at first taken for the Spanish armada which was expected to return for De Molina and overwhelm the community. Dale informed of its appearance, rushed his whole force on board of two ships and one pinnace, then anchored at Jamestown, and despatched a shallop down the river to reconnoiter. "We will fire the Spanish vessels with our own," he declared, "rather than yield basely or be captured. Our lives could not be sacrificed in a more acceptable service."

Gates was accompanied by numerous artisans and at least twenty women—an addition to the population too long deferred, and one, had it been made at an early date, would by this time have assured the success of the Colony. Dale was at once appointed marshal, and his plan to build a town on the banks of the upper river was approved without reservation. Very soon many workingmen were employed in splitting rails and manufacturing palisades and bricks for the projected settlement, and in September (1611), all this material, along with three hundred men, was transported in a mass to the modern Farrar's Island. Here Dale began the erection of a town, which was protected on all sides but one by the coil of the stream. A palisade quickly shut off the danger of assault on the open neck. Watch-towers, store-houses, dwelling-houses, and a church, laid off in three streets, were completed by the fifteenth of January; and to these structures, a hospital, with numerous beds and imported nurses or keepers, was afterwards added.¹ A second palisade was erected across the neck of a second coil of the river, which closed to Indian depredation a large area of fertile land. A third palisade on the south side of the stream created a safe run for many hundreds of hogs.

Dale seized an extensive region of fertile country lying about five miles south from the site of his town, which he divided into hundreds and named the New Bermudas. Each hundred had a separate designation. Nether Hundred seems to have been the first to be cultivated, as it contained much open corn land. Many houses were soon constructed there, the inhabitants of which were to be granted all the privileges of freeholders after the lapse of two years. Rochdale Hundred was largely used as pasture for hogs and cattle.

While Dale was busy with all these projects on the banks of the upper Powhatan, Gates was engaged in building and planting at Jamestown, and in loading his vessels for the

¹This town was named by Dale Henricopolis in honor of his patron, Prince Henry, heir to the throne.

return voyage to England. A part of his cargoes consisted of enormous masts, which had to be reduced in length before they could be taken on board. The martial laws were in force as long as Gates remained in Virginia; and were continued



JAMESTOWN CHURCH TOWER, 1890

after his departure, at which time Dale resumed the sole administration. The Indians had not been prevented by the formidable palisades from attacking Henricopolis, and yet, in spite of this hostility, a number of the English settlers ran away to their towns. Several were recaptured and subjected to the severe punishments of the Draconian Code, such as

being bound to trees and suffered to starve to death, or being broken on the wheel. As a rule, however, the martial laws were held up *in terrorem* rather than pitilessly enforced, unless the safety of all the settlers had been endangered by the acts of the criminals.

In March, 1613, Argall, who had arrived in Virginia on the ship *Treasurer*, in June, 1612, made a voyage to the Rapahannock, and in the course of it, he was able, by bribing her guardian, Japasaws, a chief, with a copper kettle, to carry off the Princess Pocahontas, who had been sent to that distant country by her father to escape seizure by the English. She had not visited Jamestown since the deposition of Captain Smith. When brought there by Argall, Dale endeavored to exchange her for all the English prisoners and guns then in her father's possession. With a band of one hundred and fifty men, and accompanied also by Pocahontas, he went over to York River and sent word to Powhatan, that, unless he paid the ransom of his daughter—these prisoners and guns—they would be taken from him by force. The Indians fled, and their village was destroyed and their fields despoiled. Dale then sailed further up the river, and at Matchet, went ashore with Pocahontas. Here two of her brothers came to see her, and through them, she sent word to her father, that, if he were really devoted to her, he would not value her less than he did the old axes and saws which the English were demanding. The English, she said, loved her, and with them she would remain.

Dale returned to Jamestown unsuccessful in his expedition. While sojourning as a prisoner there, Pocahontas had been converted to Christianity and taught to speak the language of her captors. John Rolfe, one of the colonists, of excellent birth and character, had become enamored of her, and with the consent of Dale and Powhatan, he ended in marrying her. Two of her brothers and an uncle were present at the ceremony, which was performed by the Rev. Richard Burke, who had baptized her. Apart from the romance of her

conversion and marriage, there was much to invest her youthful figure with a kindly glamour in the minds of all the colonists. "Notwithstanding the constant wars with the Indians," says Captain Smith, writing his own recollections of her, "this tender virgin would not spare to dare to visit us, and our wants still supplied, when her father sought to surprise us. The dark night could not affright her from coming through the irksome woods and with watered eyes give the intelligence, with the best advice to escape her father's fury—which, had he known, he would surely have slain her. Jamestown, with her wild train, she as freely frequented as her father's habitation; and during the time of two or three years, she, next under God, was still the instrument to preserve the Colony from death and confusion, which, if, in these times, had once been dissolved, Virginia might have lain as it was at our first arrival, to this day."

The subsequent history of Pocahontas may be appropriately told here. When she was in England with her husband, in the summer of 1613, Smith called at her lodging to converse with her again. "After a modest salutation," he has recorded of the interview, "without any word, she turned about and obscured her face, as not seeing with content, and in that humor, her husband, with divers others, we all² left her two or three hours. But not long after, she began to talk. 'You did promise Powhatan,' she said, 'what was yours shall be his, and he the like to you. You called him father, being in his land a stranger, and by the same reason, soe must I doe you.' " Smith deprecated this because she was a king's daughter. "Fear you here that I should call you father?" she exclaimed. "I tell you then I will, and you shall call me child."

With Lady Delaware as her sponsor, Pocahontas was received at court as a princess, was entertained by the Bishop of London with great pomp, was present at many masked

²This is certainly the earliest printed use in Virginia of the expression "We all," still so commonly heard there.

balls, and sat for her portrait. People familiar with courts were struck with the ease, modesty, and propriety of her bearing and commented on it in words of surprised admiration. She died of small-pox at Gravesend as she was about to return to her native Virginia. Her only son, the ancestor of so many distinguished families, was left with relatives in England, but he finally made his home in the land of his mother's ancestors.

A feeling of discouragement swept over the minds of the members of the London Company about 1613. A million dollars in our modern values had been spent, and there had been, as yet, no commercial return. Several thousand lives also had been destroyed, and the Indians were still unfriendly when not actively hostile. It began to be debated whether it would not be wisest to abandon the Colony and remove all the settlers to the Somers Isles. Dale stoutly protested when told of this depression. To give up Virginia, he vehemently asserted in a letter to Sir Thomas Good in June, 1613, would be a loss only comparable to the loss, in the previous century, of the kingdom of France. "The more I range this country," he added, "the more I admire it. I have seen the best countries in Europe. Before the living God, put them all together, this country will be equal to them if inhabited by good people."

The vessel that carried this letter over to England carried over also the small crop of tobacco which John Rolfe had harvested, the first of that staple to be exported—an event not second in importance to the introduction of African slaves a few years later. Rolfe was in the habit of smoking a pipe, and his earliest cultivation of the weed was probably to gratify his own personal wants. He was aware of the fact that tobacco was imported into England from the Spanish colonies. Why not import it also from Virginia? This was a reasonable question, and Rolfe's experiment was in a few seasons pushed so far by others that Dale, to assure more attention to maize, was forced to limit the amount of tobacco

to be planted. In 1616, however, at least two of the settlements cultivated this crop only, and, by this time, the leaf of the Colony had come to be held in almost as much esteem by English smokers as the Spanish leaf.

Dale was not content with the importance given to tobacco and endeavored to encourage the production of cotton, wine, and silk also. He purchased too a large supply of grain from the Indians, who were now in a state of peace. His agent was Argall, who not only explored the Virginian waters, but also went off to Mount Desert to capture a colony of Frenchmen now seated there, although that region was claimed by England; and he led a second and an equally successful expedition against other French settlements in the north. Dale entered into a treaty with the Chickahominy tribe, who, by its terms, agreed to furnish several hundred bowmen in case of a Spanish attack on Jamestown; and this they consented the more readily to do as Powhatan and Opechancanough had originally been driven away from the vicinity of the Gulf by Spanish invaders.

Under Dale's wise supervision, the Colony was soon in a sanguine and thrifty state.³ He laid off a common garden to be cultivated for the benefit of the public store by indentured laborers; and to numerous tenants he assigned three acres respectively, in return for an annual rent in corn. The population was now divided into three classes: (1) the officers; (2) the laborers, just mentioned, who worked in the ground for the common store, or as mechanics, with a limited right to their own time and profits; (3) the tenants of the public lands, also just mentioned, who tilled the ground only thirty-one days for the public wealth. The remaining months were given up to them to be devoted to the production of their own crops. This division extended to all the settlements in the Colony, which now embraced Jamestown, Henricopolis,

³Dale has been accused of unjustifiable severity in his government, and yet he was practically the first to give a large proportion of the colonists an absolute ownership in the fruits of their own labors.

Bermuda Lower Hundred, West and Shirley Hundred, Kecoughtan, and Dale's Gift across the Bay. At the latter place, seventeen men were occupied in manufacturing salt and catching fish. A guard was maintained permanently at Point Comfort. Jamestown consisted of three rows of framed houses—two stories and a garret in height—three large storage buildings, and a fortification with bastions. The town was surrounded by a new palisade.

There was a complaint that there were not sufficient clergymen for the pulpits, but, in reality, few of the settlements were unprovided with an ordained spiritual adviser; and the type was so faithful and so unselfish at this time that it was justly said of the entire body then living in Virginia that all were of such noble temper that they were "prepared to forsake every wordly consideration in their loyalty to Christ."

In the spring of 1614, the Privy Council in England directed the attention of the city companies of London to the lottery which the London Company, by the terms of its charter of 1612, was permitted to hold, and many of these associations, as well as private individuals throughout the kingdom, purchased tickets for the benefit of the Colony. In the course of 1616 the joint stock terminated, and dividends of land were granted to every one who had subscribed to a share of the Company or had gone out to Virginia to become an actual planter there; and this was now established as the permanent rule. The first patent issued was to Simon Codrington. This was issued in March, 1616.

CHAPTER XIII

ADMINISTRATION OF SAMUEL ARGALL

Dale returned to England in June, *en route* to Holland to resume his military duties, for his furlough had now expired. He carried away from Virginia a cargo of tobacco, sassafras, pitch, tar, and other commodities then in request among the English merchants. His administration of the Colony's affairs was stated by him to have been the hardest task of his strenuous life, but it had been eminently successful. He had not been thinking of Virginia alone in working for its welfare. "That admirable country," he exclaimed, "will put such a bit into our ancient enemy's (Spain) mouth as will curb his haughtiness of monarchy." His reasoned report, as well as the cargo of valuable products which he brought back, encouraged the Company to provide a magazine ship for the transportation to the Colony of a large cargo of household articles of all sorts. These stores were furnished by a special band of adventurers, who looked to the purchase with them of a great quantity of tobacco; and this continued from that time on to be the only method of supplying the settlers, since the old joint stock of the company at large was ended.

A more active interest in the affairs of Virginia was now shown in the quarter courts. About one hundred and forty of the four hundred and seventy-two members of Parliament were also members of the London Company, and these quarter courts had come to reflect the sentiments which had divided England into two political camps—one of the liberal party; the other of the court party.

When Dale embarked for England, George Yeardley, who

had previously served as deputy-governor and marshal, took the vacant office. He had always been interested in the culture of tobacco, and he now encouraged its spread by every influence which he could bring to bear to that end. The arrival of the magazine ship *Susan* in the autumn of 1616, with Abraham Piercy, the cape-merchant, on board, acted as a further stimulus. By this time it had come to be perceived with clearness that the first object of the London Company should be to make Virginia the permanent home of transplanted Englishmen; and that the development of the tobacco trade should be fostered, not simply to afford a pecuniary profit for the adventurers of the magazine, but also to furnish the quickest means of increasing the population and swelling the number of the plantations. Colonization henceforward was to be the first consideration, and trade the second, and of great importance only in connection with its advancement of colonization. All the early expectations that Virginia would supply the precious metals, or open the way to the South Sea, or even assure the articles imported from foreign nations, had now vanished. By 1616, the Colony was looked upon as a permanent community, with a substantial future; and this fact was attributable to Dale's having used the absolute power at his disposal to put in force the principles which Captain John Smith had previously endeavored, in the face of so many obstructions, to carry out.

The hour was now ripe for an administrative policy which should be in harmony with the political convictions of Sir Edwin Sandys and the other men of the same liberal opinions who belonged to the London Company. Sandys was appointed to the office of assistant manager in 1617, which made him subordinate only to Sir Thomas Smythe, the treasurer. He was now keenly interested in the framework of the Colony's future form of government, which was under consideration, but so great were the energy and intelligence which he exhibited in the affairs of Virginia in every other direction that the Spanish ambassador in London grew despondent and

wrote to his King that all hope of the English abandoning Jamestown must be given up. The lottery was now under way and bringing in a large sum of money. Settlers, whether to become laborers or planters, were procured in numerous ways. Boys and girls, whose ages ranged from eight to sixteen, were collected from the streets of London and sent over to Jamestown to serve in one way or another until they had arrived at their majority. Many desirable emigrants, and many undesirable, were obtained from other communities of England.

In 1617, Samuel Argall, who had been often in Virginia in different capacities, set sail for Virginia with the commission of deputy-governor. He had not expected to introduce any change in the form of government, but he had been instructed to make the proposed alteration in the system of land holdings. He went out to Jamestown with a company of one hundred settlers, who had been gathered up by the Company or private adventurers, and he was also accompanied by John Rolfe as secretary of the Colony. He found the people in a state of peace with the Indians, but all the buildings of the town were in a condition of disrepair. The first attention of every man was directed to the production of tobacco. It was only on the Company's lands that crops of maize, wheat, and barley were cultivated in abundance. Argall fixed the rate of exchange of tobacco for the merchandise of the magazine at three shillings the pound. It was sold in England, after paying the charges of transportation and the customs, at ten. In March, 1618, the *Edwin* sailed for England with a cargo of thirty-one hundred pounds of tobacco assigned to Captain Bargrave, who had received it in trade; and five thousand pounds were assigned to the Company, to be credited to the magazine. The same ship in a later voyage carried over two thousand pounds, which caused the market to fall from eight shillings to five shillings and three pence.

Argall, in accord with his instructions, made grants of a large area of the public lands. The most important of these

were the patent to Smith's Hundred, the patent to the governor himself and his associates, and the patent to Captain Martin and his associates. There was now a population of about four hundred men, women, and children established in Virginia. For their protection against the Indians, whom



COMMUNION SERVICE OF SMITH'S HUNDRED

Argall wisely distrusted, certain prudent provisions were adopted and strictly enforced: for instance, they were forbidden to trade privately with the savages, or to teach them the use of pistols and muskets; they were also prohibited from attending the services in the parish churches without arms in their hands; and a guard was ordered to be set around each of these buildings while the congregations were worshipping within. An attack was made by the Indians in 1618, which

seems to have been brought on by the impression among them that the guns of the colonists were too sick to go off. This idea had arisen from the fact that, owing to the scarcity of powder, the people had been chary in expending such supply of it as they had in their possession. Several persons were killed in this treacherous uprising; and it only ended when Opechancanough sent a bushel of earth to Argall as a sign of submission.

The members of every family were now required to be present at religious services on holidays as well as on Sundays. Some of the sacred edifices were now adorned with valuable communion plate. The church belonging to Smith's Hundred had received such plate from Mrs. Mary Robinson, its founder; and the church in Martin's Hundred had been equally fortunate in the same way.

It was during Argall's administration that the Pilgrim Fathers entered into negotiations with the London Company for a patent to lands in Virginia, and Sandys is supposed to have persuaded the Archbishop of Canterbury to give his consent to the settlement of the Separatists there. Jamestown had now been in existence ten years, and the Colony had long passed the stage of experiment. The Pilgrims, who were then living in Holland, did not actually set out until two more years had gone by. By this time, the Assembly had convened at Jamestown, and Virginia had become a firmly established state.

Sandys demonstrated his liberal character further by opposing the introduction of African slaves into the Colony. Sir Robert Rich and others were suspected of wishing to acquire large tracts of land there with the view of testing the superiority of laborers who were not only held for life, but were supposed to be more suitable for the climate than an English indentured servant. The split in the Company had been steadily widening, with Rich growing in prominence as the leader of the court party. Argall was known to be in sympathy with Rich. It was correctly charged that the ship

named the *Treasurer* had been sent to Virginia by the latter, with a commission as a privateer from the Duke of Savoy to prey on Spanish commerce. Argall had manned this ship with seamen whom he had picked up in the Colony, and despatched her ostensibly to the Azores for sheep and goats, but in reality to the West Indies to rifle Spanish vessels. This was an audacious undertaking, as James, in his eagerness to keep the good will of Spain, stood ready to punish such marauding with the penalty of death.

But complicity with Rich in piracy was not the only complaint lodged against Argall. He was charged with dispersing the servants belonging to the Company's lands in Virginia—which, at his arrival in May, 1617, had been paying three hundred pounds sterling annually—and with selling the Company's entire herd of cattle. Six goats alone remained of the public estate beyond the bare soil.

Delaware, in April, 1618, set out for Virginia to take up again his functions as Captain-General and to put in operation all the plans for an assembly which had been framed in England by Sandys and his associates; but he died on the voyage. When news of this event reached London, Sir George Yeardley, who had, as we have already seen, served as deputy-governor, was despatched to the Colony to become governor in Argall's stead. Aware that Yeardley was instructed to investigate his predecessor's delinquencies, Rich and his supporters, fearing the consequences of an exposure of the *Treasurer's* acts on the high seas, protested against his mission; and not trusting to this alone, they sent a pinnace ahead of Yeardley's sailing to give Argall a means of escaping from Jamestown before the suspicious new governor should arrive. Argall, having appointed Captain Nathaniel Powell deputy-governor, disappeared beyond the Capes in the pinnace.

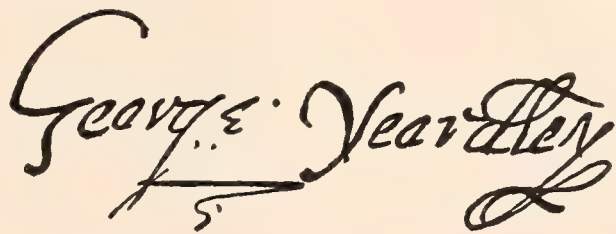
CHAPTER XIV

ADMINISTRATION OF SIR GEORGE YEARDLEY

When Yeardley left the English coast in January, 1619, he carried with him two of the most famous public documents recorded in American history: first, the great Charter of Privileges, Orders, and Laws drafted by Sandys, which was the earliest written constitution associated with the annals of the United States; and secondly, a commission for establishing the Council of State and the General Assembly of Virginia, the first legislative body to convene on North American soil. A comet had appeared in the English heavens on the night when these momentous papers were signed, and it was still visible as Yeardley sailed out into the ocean. He reached the Capes at the end of April, and his first act as governor was to issue a proclamation to the effect that all colonists who had been residents of Virginia before Dale's departure in April, 1616, should be exempted from further service for the public benefit; that the people were to be governed, not by martial law but by their own laws and the laws which applied to English subjects in general; that a General Assembly was to be called together to be composed of the Governor and Council and two representatives from each plantation to be elected by its inhabitants; that monthly courts, in addition to the existing General Court, were to be set up to facilitate the administration of justice; and that the domain embraced in the Colony was to be laid off into four great corporations, namely, the City of Henricus, Charles City, James City, and Kecoughtan; and that these were to be subdivided into boroughs.

The General Assembly, composed of the Governor and Council as the Upper Chamber, and of two burgesses from

each town or borough as the Lower Chamber, convened in the choir of the church at Jamestown on the ninth of August, 1619. At first, the two bodies met in the same room, but, at a later date, they adopted the rule of separate sessions. John Pory, who had accompanied Yeardley to the Colony as its secretary of state, served as the first speaker, in recognition of his experience as a member of Parliament. He was a man of education, for he had graduated from Cambridge with the degree of master of arts. The first discussion concluded with the denial of the right of Captain John Martin to act as a burgess so long as he should refuse to abandon his claim to practical sovereignty within the bounds of his patent. This claim was based upon the terms incorporated in this grant.

A handwritten signature in cursive script, reading "George Yeardley". The signature is written in dark ink on a light background. The first name "George" is written in a large, flowing script, and the last name "Yeardley" is written in a similar style, with a long, sweeping tail that extends to the right.

AUTOGRAPH OF SIR GEORGE YEARDLEY

The laws passed by this first assembly embraced a wide field of subjects. They related to the Indians, the church, the planting of corn and tobacco, the cultivation of the vine, flax, and the mulberry tree; to artisans, tenants, and indentured servants; and to land patents. With regard to the Indians, it was enacted that neither powder nor shot nor mastiffs should be sold to them by the colonists, and at the same time each town, city, borough, and plantation was to procure a certain number of Indian children for training in religion and manners. All christenings, burials, and marriages taking place in the several parishes were to be reported regularly by the clergy. The members of this body were to exercise their functions strictly in accord with the ecclesiastic laws of England. They were to catechise the children on Sunday

before the services. All moral sins were to be reported by the church-wardens, and large fines were to be imposed for drunkenness and profanity and similar misdemeanors.

With regard to commodities, the price of the best grade of tobacco was fixed at three shillings. Every planter was, during a period of seven years, to plant annually six mulberry slips; and each one was also required to sow hemp seed, to plant ten vines, and to harvest at least one barrel of corn for every servant in his employment. All crops for sale were to be brought to the cape-merchant for exchange for imported articles of all kinds. As there was no metallic money in circulation, it was provided that the rents and taxes should be paid in tobacco, wheat, or maize. In order to reduce the burden of taxation, a certain area of tillage land was attached to each public office for its support through the labor of tenants. This was in accord with instructions from England.

By the action of the quarter court, ten thousand acres were set apart in the corporation of Henricus for the maintenance of a university and a college—the college to be erected at once for the benefit of Indian pupils especially, and the university so soon as the attendance should justify it. In February, 1620, an unknown benefactor gave five hundred and fifty pounds sterling for the foundation of a grammar school designed exclusively for the conversion and education of the children of the savages. The Company thought it wisest to invest this fund for a time in the erection of iron works, the tools and equipment for which were afterwards sent out from England. The crew on board of the *Royal James*, lying at the moment at anchor at the Cape of Good Hope, through the indirect influence of the chaplain, Rev. Patrick Copeland, a friend of Sir Thomas Dale, collected among themselves about seventy pounds sterling for the establishment of a white free school in Virginia, and in 1620, the Company decided to build this school within the limits of Charles City corporation. By subsequent gifts and subscriptions, the seventy pounds grew to about one hundred and ninety-two pounds sterling. The

project went so far as to require the importation from England of numerous artisans for the construction of the necessary buildings, and, in 1622, an usher was appointed. But the whole plan of the two schools, as well as of the college and university as originally determined, was ruined by the red hand of the Indians, who dissipated at one blow all the property and most of the lives that were relied upon to carry it out successfully.

Reference has been made to the voyage of the *Treasurer*, in which Rich and Argall were so deeply implicated. She reached Bermuda in January, 1619, and in the company of a Dutch privateer sailed to West Indian waters, where the two seemed to have seized the slave cargo of a Spanish ship. A part of this cargo was brought to Jamestown by the Dutch vessel and sold to the planters. The captain of the *Treasurer* hesitated to do this himself, as King James was, as we have already stated, relentlessly severe upon those of his subjects who aroused the anger of Spain by acts of piracy.¹ As it was, Sir Edwin Sandys, who had succeeded Sir Thomas Smythe in May, 1619, as the treasurer of the London Company, reported the mission of the vessel to the quarter court, and the quarter court in turn reported it to the Privy Council, which controlled the foreign relations of England. This act was bitterly resented by Rich, now Earl of Warwick, and he even threatened the life of Sandys. Such was the beginning of the bad blood between these two men which was to have such lasting consequences. Warwick found it necessary to appease the anger of the Spanish ambassador.

In 1619, tobacco and sassafras were the only commodities of importance exported from Virginia. James encouraged the planting of the former in the fields of the Colony by prohibiting

¹It has been asserted that these negroes became simply servants for life. But when captured they were slaves, and as booty of war, they continued to be slaves, and they were quite certainly sold as slaves, just as if they had been so many Indians taken in battle. It would have been impossible to consider such gross barbarians as entitled to the privileges of an indentured servant in that age.



HENRY WRIOTHESLEY, THIRD EARL OF SOUTHAMPTON

its production in England and Wales. "Tobacco," he said, "tended to corrupt men's bodies and manners. If it has to be used, it were better that it should be imported amongst other vanities from beyond seas rather than be planted here, to abuse the soil of this fruitful kingdom." Possibly, the valuable customs from it influenced the monarch in reaching this conclusion.

A subscription was taken up at a meeting of the Company in July, 1621, for the purpose of sending out one hundred fair maids to become the wives of languishing bachelors in Virginia. Between July and November, one hundred and eleven were dispatched, and they were particularly recommended for their sober rearing. They were purchased by "honest and industrious men" by the payment of the charges for the voyage over in each case, which seems to have amounted to about one hundred and twenty pounds of tobacco. None were married to indentured servants, and all were allowed a free choice in selecting husbands. As soon as they arrived in Virginia, they were placed in the homes of respectable freeholders in order to be relieved of the temptation to yield to the first solicitation. The authorities in Virginia were instructed to act as their watchful guardians in this interval. It is known that several hundred maids in all were imported.

By his liberal opinions and independent acts, Sandys had become so odious to the King, that, when his name came up for reelection to the treasurership in June, 1620, a message was received from Whitehall positively forbidding it. James proposed the names of four candidates drawn from the list of the court party, which was the minority party, but all nominations were passed over until the next session of the quarter court, and then, after a committee's stormy interview with the King,² Southampton was chosen. It was the opinion of the popular party that, if the royal order had been complied with, the Company's privilege of a free election would have

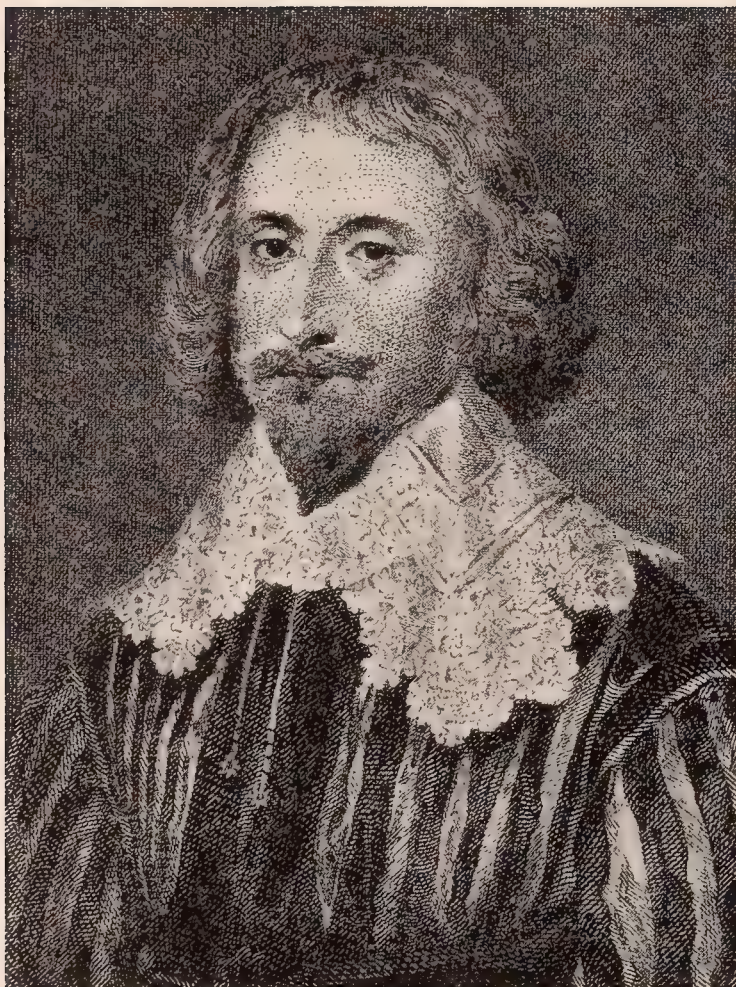
²It was at this interview that the King expressed his preference for the devil over Sir Edwin Sandys as a candidate for reelection to the office of treasurer.

been destroyed; and that party openly declared that they would rather surrender their charter than give up this privilege.

It was in 1620 that a charter was granted by the Company to the Pilgrim Fathers. It applied only to the region of South Virginia. The *Mayflower* reached Plymouth in North Virginia in December, and as the ship drew near land, some of the passengers, knowing that they had no right under their letters-patent to disembark there, threatened to set up their own wishes as their only law. This led to the drafting of a compact, which was a counterpart of all those privileges of government which these voyagers enjoyed in emigrating under the charters and constitutions of the London Company, to which they were aware they were subject in passing over sea. Some of the persons on board had been associated with that company in England, or at least had visited Jamestown. It was Sandys who had, as we have seen, encouraged them to found a settlement in Virginia, and their religious independence appealed to him all the more as he desired to make that colony a refuge for all who should be seeking ecclesiastical and civic freedom.

At this time, the people of Virginia were engaged in building houses, planting tobacco, and suing out patents to new lands. Much of this tobacco was sent to Flushing and Middleburg in Holland, although the Privy Council endeavored to block it. Every man who transported himself or transported another, was entitled to a dividend of fifty acres. The population now numbered at least one thousand individuals. Between March, 1620, and March, 1621, ten ships brought in one thousand and fifty-one emigrants, and in the course of the next twelve months, fifteen hundred landed, and yet by March, 1622, the end of the interval, nearly twelve hundred of these had perished. Thorpe attributed this mortality largely to the change from a spirituous diet to a water diet, which he asserts caused great popular depression; but this depression must have passed away when the manufacture of

corn-whiskey began, as it did about this time. The mortality was principally among the newcomers; but many passengers still died at sea, owing to the crowded and fetid condition of the ships. So long was the death roll that three distinguished physicians were elected members of the London Company in the hope that they might devise a remedy.



GEORGE SANDYS

CHAPTER XV

ADMINISTRATION OF SIR FRANCIS WYATT

Yeadley's commission expired November, 1621, and he was succeeded by Sir Francis Wyatt, who was accompanied to Virginia by George Sandys as treasurer, William Newce as marshal, William Claiborne as surveyor, and John Pountis as vice-admiral. There were nine ships embraced in the fleet. Daniel Gookin followed and settled on the site of the modern city of Newport News. He was instrumental in importing many cattle and colonists. During this first year about twenty-one vessels arrived, with a passenger roll of thirteen hundred men, women, and children.

Just before the massacre of 1622, the number of inhabitants was about two thousand, all of whom were comfortably sheltered. The planters owned a very considerable variety of livestock, and also numerous boats for the passage from settlement to settlement along the rivers. There was no lack of grain despite the supreme attention given to the production of tobacco; and there were at least ten thousand vines growing in some of the vineyards; and the silkworm was successfully propagated. About five thousand pounds sterling had been expended upon the construction of iron-works for the manufacture of pig-iron. Tobacco was selling at a high rate, although a monopoly of it had been established in England. The colonists, it was said, now looked upon themselves as the happiest subjects of the King, and their good reports very naturally helped to swell the emigration from the mother-country to Virginia; and this in turn quickened the increase in the number of new plantations. It was estimated that 24,000 pounds sterling had been expended for the maintenance

of the Colony during the treasurership of Sir Thomas Smythe. About 75,000 pounds had been invested in the merchandise of the joint stock and in the transportation of new settlers. At last, the future of Virginia, as an English dependency, seemed to be positively assured. A broad and solid foundation had been laid for a noble superstructure.

At this cheerful moment, there fell, with the suddenness of a great earthquake, a blow from the Indian hand, grasping the tomahawk and the scalping knife, which appeared during the first hour to be fatal to the very existence of the community. This was the Massacre of 1622. Could that atrocious event have been avoided? Had not the old settlers sufficient recollection of the treacherous character of the savages in the past to keep themselves and their families and friends always on their guard against the chance of slaughter? Seemingly not. A large part of the population in 1622 were newcomers. Governor Wyatt himself was a stranger. His instructions had simply enjoined him from relying too much on the Indians for supplies of food. Not a word was inserted to urge caution in the planters' intercourse with them. As a matter of fact, wariness was thrown to the winds by the colonists; they actually taught the Indians the use of guns, and employed them to shoot wild game for their tables; invited them to their firesides; and offered them seats at the family meals. They loaned them the very boats in which they passed from one side of the Powhatan to the other in arranging their conspiracy, and they exhibited in other ways their confidence in the supposed changed spirit of the savages.

The peace between the races had now lasted five years, and it was thought to be unnecessary to build forts in easy access of each group of plantations. The regular military exercises were abandoned, and as was afterwards said with scorn, the people gave up their entire time to "rooting in the ground about tobacco like swine." Rev. Jonas Stockton alone seems to have put no reliance upon the good intentions of the Indian. "Until their priests and ancients are killed, it is hopeless," he asserted, "to expect the conversion of the rest."

The first event that disturbed the kindly relations of the two races was the death of a warrior known as Jack of the Feather, from the fact that he always wore a plume in his black hair. He loudly boasted that he was invulnerable to arrow and bullet, but in a wrangle at the house of one Morgan, he was shot, and afterwards sank under the wound. With his last breath, he begged his slayer to conceal the instrument of his death, and to bury him among the whites. News of his killing, however, reached Opechancanough, who was so much incensed that he threatened to retaliate. At the disinterment of Powhatan's body in 1621, the Indians present were reported to have sworn that they would exterminate the colonists. Wyatt, on his arrival, demanded of Opechancanough an explanation of this rumor, and he replied that the sky would fall before he would attack his friends the English. How secretly he matured the plot of the massacre—for he was the head and front of the diabolical scheme—was demonstrated by the fact that the assault fell at the same hour on all the widely dispersed communities, with the exception of the few that had been warned in time that it was impending.

The attack began on both sides of the river at precisely eight o'clock on the morning of April 1, 1622 (n. s.). Different methods of approach were adopted in different places. At one, the assassins sauntered into a house apparently for purposes of trade; at another, the inmates were lured by one pretence or another out of doors; here the murderers entered a field where the unsuspecting people were planting corn or tobacco; there, they joined the men engaged in building a barn or manufacturing brick or sawing plank. Few escaped the pitiless blow of their bloody weapons. About four hundred of the colonists perished, among whom were six members of the council. John Rolfe was one; George Thorpe was another. Thorpe was so friendly with the Indians that he is said to have denied them nothing which they asked for; and he even blew out the brains of several mastiffs in his possession because the savages were either really afraid of them or thought that



MASSACRE IN 1622

the dogs would interfere with their terrible designs. He had built Opechancanough a house for his own use. Not satisfied with killing him, the Indians grossly mutilated his body.

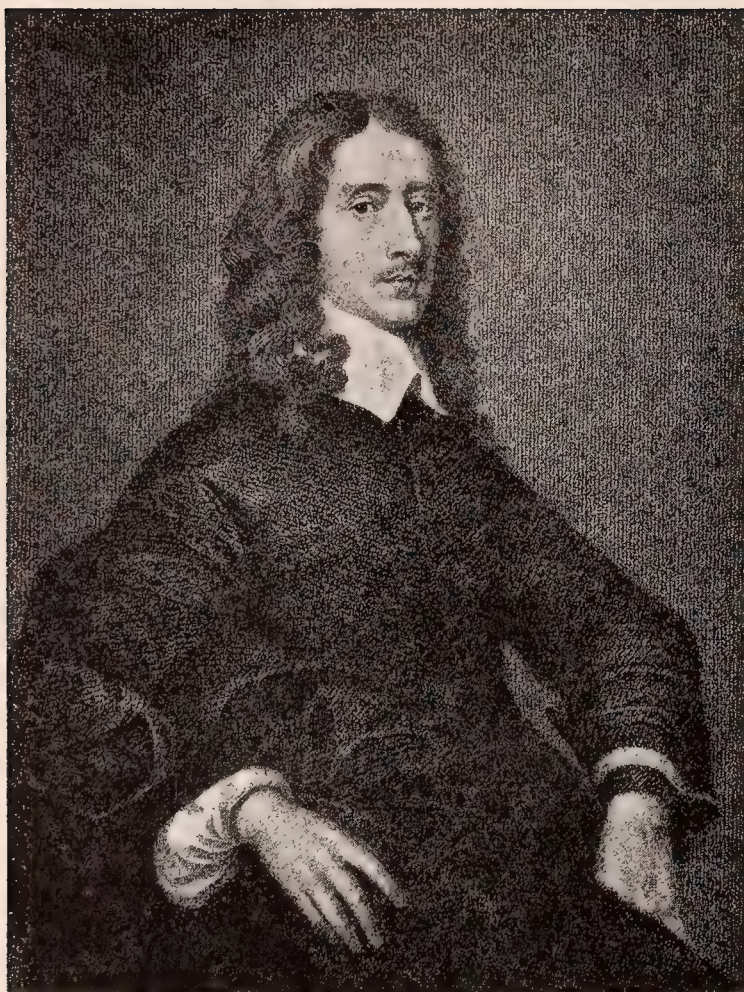
Wherever a brave defense was made, the would-be murderers retired without attempting resolutely to overcome. Nathaniel Cawson split open the head of one of his attackers with an axe, and the remainder took at once to their heels. In another case, two settlers who had found refuge in their house succeeded in the end in driving off a band of sixty warriors. A third saved his family from massacre by shooting off his gun from his window as rapidly as he could load it. Captain Ralph Hamor, aided by his servants, defended his home with spades and axes as if they were so many bludgeons. All the inhabitants of Jamestown also would have perished had not Chanco, an Indian boy—who was a Christian convert living on a plantation known as Pace's Pains—revealed the plot to Pace, instead of killing him, as urged on by another Indian who was deep in the conspiracy. Pace took horse at once and galloped through the night to Jamestown to inform the governor, and the governor in turn dispatched messengers at full speed to every settlement in the vicinity; but the interval was too short to allow of his warning the inhabitants of the colony at large.

Above the mouth of the Appomattox, on either side of the Powhatan, the several settlements were practically extirpated. Few of the inhabitants of Bermuda City and Hundred escaped; and as far as the modern Isle of Wight, on the southern bank of the stream, the plantations were scenes of carnage in which nearly all the people lost their lives. The group of colonists established by Daniel Gookin at Newport News, and also by Samuel Jordan on his own patent, remained for reasons unknown unmolested; and Mrs. Proctor, residing on her own estate with a few servants only, was equally fortunate. When three weeks after the massacre the governor sent out an order to all the people to concentrate in a few places for protection, these three persons declined to obey.

There was after the massacre a population of only eight hundred and ninety-three left in Virginia, and these sought, as we have already said, consolation in the thought that thereafter they would be able to take possession of the corn-fields of the Indians, the most fertile spots to be found in the country; and that the deer and wild fowl would no longer be decimated by the destructive methods employed by the savages in killing them. Possibly too the devils could be more easily converted by conquest than they had been by conciliation. To relieve the immediate wants, two ships were sent out on a trading and fishing voyage; and luckily, at this critical moment there arrived a barge loaded with poultry and potatoes. The planting of corn as well as tobacco had been interrupted by the massacre; and this fact was expected to lead to a slender harvest in the autumn. Many men too were drawn away from the fields by the expeditions which were now despatched through the woods against the Indian towns on the Powhatan, Pamunkey, and Chickahominy.

These expeditions were led by George Sandys, Sir George Yeardley, Captain William Powell, and Captain John West. Owing to the fleetness of the savages, and the fastnesses offered by the swamps and brakes, few of them were overtaken, but their wigwams were fired and their corn-rows beaten down with sticks. The Indians retaliated by killing four settlers in Elizabeth City, and in return, Sir George Yeardley fell upon the Nansemonds and Warrosquoyacks and destroyed their villages and carried off their stores of grain. The attacks were repeated during the four or five years that succeeded. "Either we must clear them out of the country," said Governor Wyatt, "or they must clear us out." These expeditions were always effective, but their success was sometimes attended with an almost diabolical ruthlessness. In 1623, a party of English visited the Pamunkey River and induced many Indians to gather at a certain point on the bank in a parley for the release of the white prisoners in their possession. Having, by tempting offers, accomplished this

purpose, the soldiers let off a fusillade of muskets that brought down forty of the savages. Captain Matthews, in the course of a voyage up the Potomac, suspecting treachery, seized Japasaws and other chiefs and slew a large number of the frightened people. During the following year, Captain Spelman and twenty-six others, who had gone among the members of this tribe, were murdered in retaliation.



JOHN SELDEN

CHAPTER XVI

CONFLICT OF FACTIONS IN THE COMPANY

News of the massacre created a feeling of consternation in England, but it caused no real relaxation in the resolution of the Company to uphold the Colony—they promptly arranged to forward more settlers, and also a large quantity of powder and arms. The Common Council of London subscribed five hundred pounds sterling to defray the expense of sending over one hundred persons to serve under indentures; and other communities in England responded with equal generosity.

But, in the long run, the massacre, though it checked only for a short time the spread of the Colony—indeed, the people began returning to their separate plantations in 1623—was to prove one of the powerful influences which culminated in the ruin of the Company, for it gave another handle to the faction that had never ceased to antagonize Sir Edwin Sandys and the Earl of Southampton, the leaders of the majority of the members. Above all, that terrible event seemed to justify the dissatisfaction of the King. So far had his discontent with the liberal principles of these two men been carried, that he had, in June, 1621, caused their arrest, together with that of John Selden, who was aiding them in the preparation of a new charter. James, egged on by Gondomar, the sinister Spanish ambassador, was already determined to put an end to the London Company in the form in which it then existed—a form, in reality, out of harmony with the administrative machinery of the rest of the English kingdom, all of which depended directly on the throne.

But it was the independence of the popular party in the



NICHOLAS FERRAR
Member of Virginia Colony of London

quarter courts which irritated James most acutely—"a seminary for sedition," Gondomar had described it. It was this party which continued to run counter to his wishes in Parliament, after asserting, on a memorable occasion, that the members of the House were entitled to freedom of speech—a declaration so shocking to his arbitrary sensibilities that he had passionately torn the recording page from the minutes of that body with his own hands. He cast all his influence on the side of the minority faction in the Company, which, therefore, came to be known as the court party. In June, 1622, he sent to the quarter court, then in session for the election of treasurer, a list of men from amongst whom he wished that officer to be chosen. One of these royal candidates obtained seven votes, another thirteen, whilst one hundred and seventeen ballots were cast in favor of Lord Southampton. Nicholas Ferrar, the nominee of the popular party for the office of deputy-treasurer, received one hundred and three votes; the court candidates ten and eight respectively. The announcement of this result filled the King with passionate anger. "It would be better," he exclaimed, "that the government of Virginia should be in the hands of merchants, as they at least would see to the cultivation of staple commodities." Lord Cavendish, who had informed James in person of the ballot, was a member of the popular party, and he ventured to point out that, while Smythe was treasurer of the Company, only one commodity in any quantity had been produced in the Colony, and yet he was one of the greatest of English merchants. But this bold remark did not convince the King that he was wrong in thinking that the Company under the direct royal control of 1606-9 was a more desirable association than it was under the popular charters that followed. It was only a question of time when he would find the means to carry out the resolution which he had now formed.

Southampton, in order to combat the feeling of depression about the Company's affairs which was now spreading even among the members of the popular party,—largely in conse-

quence, no doubt, of the known attitude of the King,—gave orders that a description of the condition of Virginia at that hour as compared with its condition previous to 1618, should be prepared by a competent hand. This prompted the opposing faction through Alderman Johnson to petition the King to appoint a committee to inquire into and report upon the real state of the Colony's affairs. The object in view was to discredit the administrations of Sandys and Southampton; and that purpose was confirmed by a pamphlet which was published at this moment from the pen of a former governor of the Somers Isles. Butler had abandoned his office under a cloud, and stolen away to Virginia, at that time prostrated by the blow of the massacre. He looked about him with a prejudiced and unsympathetic eye and unhappily saw much to gratify his cynical spirit. Most of his charges were of a general nature: that the plantations were seated upon the borders of swamps that exhaled a miasma which made the country as unhealthy as the worst parts of England; that the people arriving in Virginia were compelled to wade ashore owing to the shallowness of the water in the rivers, which caused many fatalities through colds; that there were no inns to accommodate the new-comers; that all articles of food were high through the profitable connivance of the officials; that the dwelling-houses were inferior to the meanest cottages in England; and that the fortifications had long sunk in ruins.

The two factions in the Company now fell into a final grapple that asked for and expected no quarter on either side; nor was this grapple less deadly because the supporters of Warwick and Johnson numbered about one hundred in the membership as against seven hundred who supported the policy of Sandys, Southampton, and Cavendish. The controversy had previous to this been brought to the Privy Council's attention by the petition of John Bargrave, who alleged that he had lost six thousand pounds sterling through the miscarriages of the government in Virginia before it passed into the hands of the liberal party. His case was not decided until

January, 1623 (n. s.). In February of that year, the Privy Council again took cognizance of the Company's affairs when it passed on the contract between the Company and the King for the monopoly of the tobacco trade. It was a few months after this event that Alderman Johnson's petition and Butler's *Unmasking of Virginia*, already referred to, were submitted.

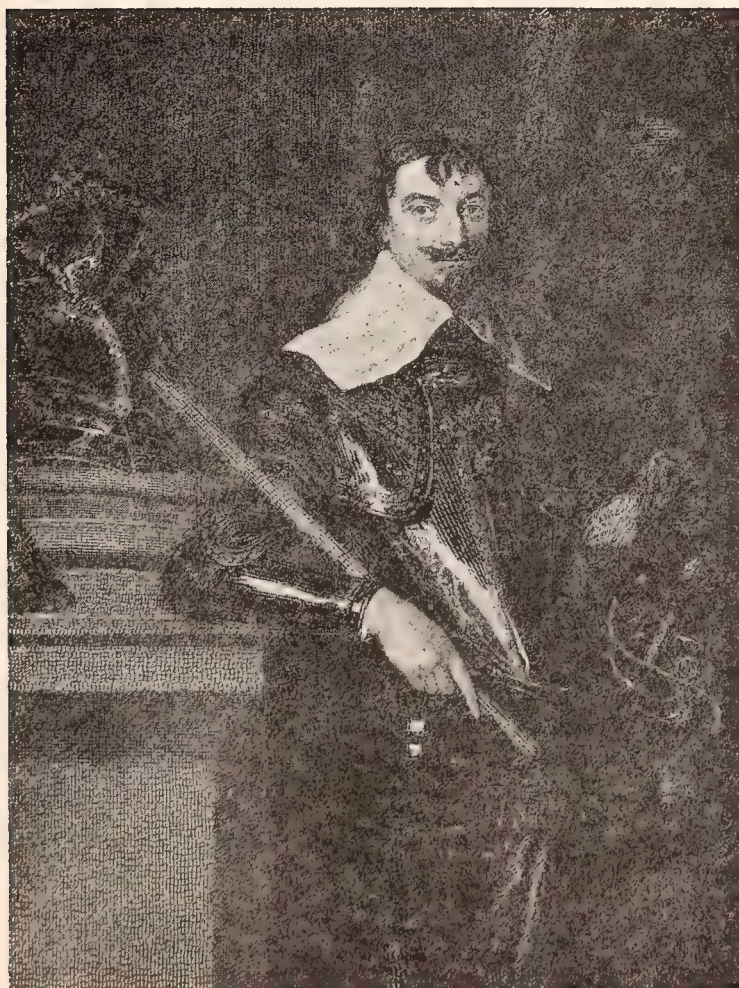
In April, the Privy Council summoned the Company's committee, of which Lord Cavendish was chairman, before it to answer the charges of these two accusers, and as the replies were not satisfactory to that body,—a foregone conclusion,—it appointed a commission to inquire into the Colony's condition from its foundation down to the present hour. This commission in May required the Company to deliver up all its minutes and orders. The Privy Council, deeming the provisions of the contract for the tobacco to be unfavorable to the planters, dissolved it; and they also reduced the customs from twelve to nine pence per pound. While this was going on, the commission was taking testimony, and much of that given by the Warwick clique was of a bitter personal nature. Sandys, they said, was really guilty of sedition, as it was his purpose to erect a free state in Virginia; and in supposed confirmation of this assertion, it was pointed out that he had persuaded the Archbishop of Canterbury to permit the Separatists and Brownists to remove to Virginia; and that he, as the head of the London Company, had actually promised to grant them, in the terms of their charter, any form of government which they desired.

Not all these charges, unscrupulous as they were, could move the popular majority in the quarter court to surrender the letters-patent of the Company. Finding that majority so obstinate, the Privy Council ordered the confinement of Southampton to the limits of his own house so as to prevent his attendance; on May 13, a similar warrant was issued against Sandys, and for the same purpose; but still the majority refused to yield. The Privy Council then called for the surrender of the charter, whether the act should be voluntary or

involuntary. This occurred in the autumn. Nicholas Ferrer, the deputy treasurer, was now the acting treasurer, but he had been virtually deprived of all control of the Colony's affairs by the command of the Privy Council that all communications from Virginia should thereafter be sent to them, and that every member of the Company should contribute to a magazine of supplies for the Colony in proportion to his holdings of shares of stock. The commission of inquiry had, in the meanwhile, submitted a report, the drift of which was that the Company had forfeited its charter by its delay in choosing new officers after the incarceration of Sandys and Southampton, and by its restriction of imports from Virginia to the single commodity of tobacco. The commission advised the reestablishment of the royal form of government which had prevailed in the Colony under the provisions of the charter of 1606.

This report added more fuel to the fire that had all along been raging at the meetings of the quarter court. Sandys, who had been released, and Warwick fell upon each other with ferocity. Cavendish, upholding Sandys, denounced Warwick to his face as a liar, which was resented with a challenge, and both parties hurried off to the Continent to vent their bad blood in a duel.

In October, 1623, the Privy Council announced that, in consequence of the poor management in Virginia, the King had determined to issue new letters-patent to the Company. The provision which he had decided upon was the appointment in the beginning by himself of a governor of the Colony and twelve assistants, all of whom were to reside in England. Subsequently, these twelve assistants were to submit three names to the King, and one of the persons so designated was to be chosen by him as governor, who, like his predecessor, the treasurer, was not to go out to Virginia, but to supervise its affairs from London. The vacancies on the board of assistants were to be filled by their own ballot, but no nominee could take his seat unless his selection had been approved by the King



ROBERT RICH
Second Earl of Warwick

and Council. The governor in Virginia was to be appointed by the King and Council also, but he was to enjoy the right to choose his own twelve assistants at Jamestown. He and his subordinates were to look to the governor and assistants in England for direction, and the latter, in their turn, to the King and Council.

The Privy Council instructed Ferrer, the deputy treasurer, to call the Company together at once to take steps to surrender their present charter, and to accept in its stead a charter containing the provisions already enumerated by us. The court convened on October 25th, and it was found that only eight of the persons present were willing to give up the letters-patent voluntarily. Ferrer was directed to request the Privy Council's permission to delay the Company's decision until the ninth of the following month, but that body positively refused to consent to this, and the deputy treasurer was warned that, in case there should be further dilatoriness, the attorney-general would be instructed to recall the charter by a writ of *quo warranto*. The popular party, however, was not frightened by this threat, and when the court again met, there were only nine votes cast in favor of complying with the royal command, and two of these were the votes of men who had no right to participate. There were sixty ballots in opposition to the proposal. This number of negatives seemed to stagger the Privy Council, and instead of carrying out their threat at once, they, on October 24th, appointed Captain John Harvey, John Pory, Abraham Peirse, Samuel Matthews, and John Jefferson, a commission to visit the Colony to report on its condition. They were really expected to look for every adverse fact that would justify a forcible revocation of the charter.

The members of this board, with the exception of Jefferson, had reached Jamestown by the advent of March (1624), and they quickly went before the General Assembly¹ and read the

¹It was this assembly which enacted that only itself could authorize the imposition of taxes and the manner in which they should be expended. The

letters and orders of the Privy Council calling for the surrender of the charter, and the resumption by the King of the control of the Colony's affairs. There was no intimation in any of these documents that the House of Burgesses was to be continued. Naturally, the General Assembly was greatly agitated by this omission, and they promptly drafted a petition to the King and a letter to the Privy Council in remonstrance, and these papers were supplemented by a detailed statement of the unhappy condition of the Colony during the administration of Sir Thomas Smythe. The petition protested against the proposed bestowal of exclusive power on the governor and his assistants by the abolition of an elective assembly. "Nothing," they declared, with pathetic earnestness, "could be more conducive to public contentment and public utility than the retention of this popular body." Indeed, they added, only an unfortunate misapprehension could have suggested the contrary. That the commissioners might obtain a practical knowledge of the Colony's true condition and the state of public opinion, they were taken from settlement to settlement and thus brought into personal intercourse with the people at large. Apparently, the General Assembly did not trust the impartiality of the commission sufficiently to deliver their petition and letters to its members for transmission to England, but despatched these documents by their own messenger, John Pountis.

The commission during their stay in Virginia, gathered information on three points: (1) the real condition of the Colony; (2) the willingness of the people to see the existing charter revoked; (3) the kind of letters-patent, should a new charter be unavoidable, that would be most acceptable to public sentiment. How unscrupulously the commissioners could act in their pursuit of information was shown by their successful offer of a bribe to the clerk of the General Assembly, Sharpless by name, to draft for them copies of all the docu-

question of Colonial taxation is fully described by Dr. Tyler in Volume II of this history in treating the subject of the causes of the Revolution.

ments which Pountis had been appointed to carry out to England. The Assembly was so enraged by this betrayal that they clapped Sharpless in the stocks and clipped a piece of flesh from one of his ears. When the action was afterwards reported in exaggerated terms to the King, and the Assembly learned of it, they expressed their indignant remonstrance in the language of the sternest dignity.

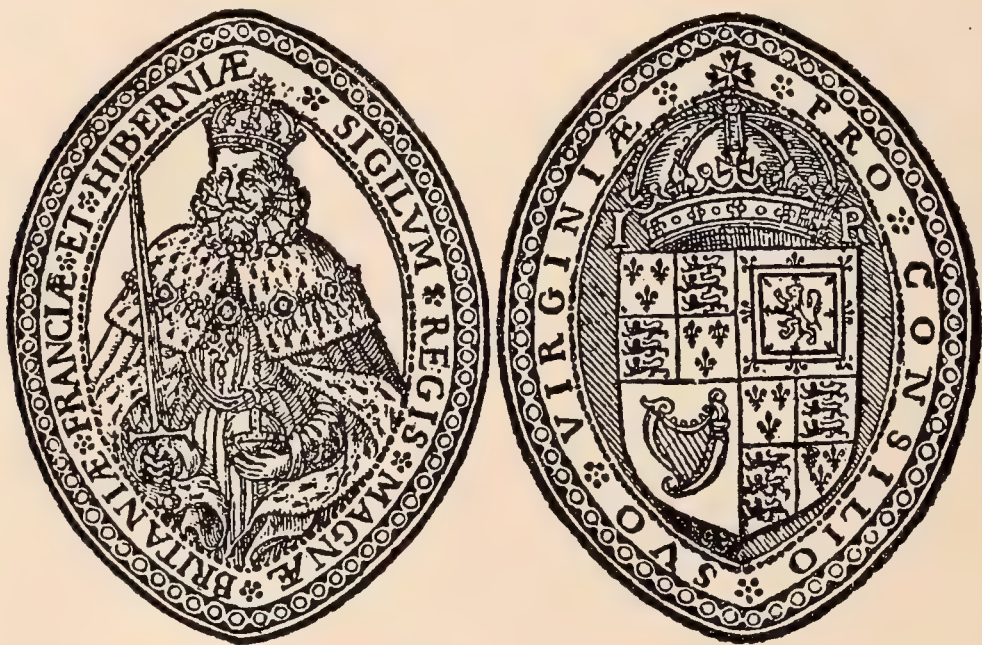
CHAPTER XVII

REVOCATION OF THE CHARTER

There was now no step possible for the King and Council to take but to recall the old charter summarily. Both the majority of the members of the Company and the General Assembly in Virginia had refused to assent to its revocation. On November 22nd, 1623, the deputy treasurer, Ferrer, was served with a notice to respond to an action brought in the King's Bench to restore the Colony to the direct control of the King. The spirit of the popular party was not to be broken even by this extreme proceeding and attorneys were named to represent the Company in that court; and not content with this act, that party drafted a petition to Parliament praying for its intervention. This petition was submitted on May 6th (1624), and the 8th was appointed for a hearing upon this document. But, on the following day, a letter arrived from the King giving warning to that body that the Company's affairs were within the royal province alone, and that a plan for their permanent settlement had already been adopted. A deep silence at first followed the reading of this missive, and then there were heard "some soft mutterings of discontent,"—as one of the persons who was present has recorded,—“because, by the same means and example, any business of Lord Treasurer Cranford (a member officially of the Privy Council and the leader in the attack on the Company) might be hindered of Parliament.” The royal command was obeyed, not from pusillanimity, but perhaps from the reluctant recognition of the fact that the King was constitutionally right in asserting his claim of supremacy in all colonial affairs. Pory, the representative of the commissioners sent to Virginia,

handed in his report on the thirteenth of June, and on the twenty-sixth of the same month the letters-patent of the London Company were finally recalled by the judgment of Chief-justice Ley.

How keen was the feeling of indignation which swayed the minds of the disappointed popular party in the Company at that bitter hour was afterwards revealed in a memorandum



SEAL, HIS MAJESTIES COUNCIL OF VIRGINIA

of Ferrer's, which was not published until many years after his death. "The King," he said, "was at the bottom of the whole proceeding, which, from beginning to end, was a despotic violation of honor and justice, which proved him to be a man void of every laudable principle of action; a man who, in all his exertions, made himself the scorn of those who were not in his power, and the detestation of those who were; a man whose head, indeed, was encircled with the royal diadem, but never surely was head more unworthy or more unfit to wear it."

Pertinent as these words were to the general character of

James, they were perhaps too strong when applied to his conduct towards the London Company in its last years. In the first place, his supreme jurisdiction over the colonies of England was undeniable. Had Sandys and Ferrer succeeded in giving that jurisdiction to Parliament, there would have been no legal excuse for the uprising in the next century against the Stamp Act. In taking over control of Virginia's affairs in 1624, he was simply resuming functions which he had, in 1609, for temporary political and financial reasons, given up to a deputy power. However responsible he may have been for the dissensions in the Company after 1622, by showing sympathy with the court party, it was indisputable that those dissensions were unsuppressible, and that they were retarding, and would continue to retard, the growth of the Colony. This fact alone was a justification for the revocation of the old charter; and the prosperity of Virginia under the crown's control, after James's death, is a strong confirmation of the wisdom of that act, however ruthless it may have appeared to be at the moment of its occurrence.

In the long run, it was not to England's advantage that so important a division of the kingdom as Virginia,—destined as it was to expand in wealth and population with each passing decade,—should remain under a different system of administration from the rest of the English possessions. It is true that proprietary governments were afterwards set up over a large area of the original North and South Virginian domain,—Maryland, Pennsylvania, and the Carolinas,—but there was in none of these governments any of that spirit of separatism which was suspected, not without ground, to linger in the administrations of the last treasurers of the London Company. It is quite possible that, had the advanced political principles of these men been allowed to ripen without restriction from the beginning of Sandys's control down through the years that followed, the independence of Virginia would have been declared half a century before that event actually took place. The revocation of the charter was essential to the permanent

unity of the kingdom even as the kingdom existed at that time. That it was a wise measure in itself was revealed by the positive refusal of the Virginians at the end of a few years to countenance the rehabilitation of the London Company.

But this fact should not diminish our appreciation of the value of the work performed by that Company in settling the primæval wilderness along the Powhatan, and in making it the first seat in the New World of the great political and religious principles of the English race. The perseverance which the Company displayed, during so many years of perplexing disappointment, in sending out a constant stream of supplies and emigrants has no parallel in the history of English colonization. Starvation, pestilence, massacre,—not one of these terrible evils made any permanent impression on the resolute zeal of its controlling members. The loss of vast sums in upholding the enterprise from year to year failed to dampen their interest in its success; nor were the attacks on the wisdom or uprightness of their purposes ever allowed to enfeeble their energies in its behalf. If the London Company had no other claim on our national respect and gratitude, it would still be entitled to both because, (1) it planted the first permanent English colony within the area of the modern United States, the beacon to every subsequent colonial enterprise; (2) it drafted and put in force the first written constitution for the government of an American community; (3) it called together the first legislative assembly to convene in the western hemisphere, and thus laid the foundation for all the civic and political rights which we now enjoy as an independent nation; and (4) it was the first to divide the soil into private holdings, which alone made possible the erection there of innumerable homes and the establishment of myriads of families.

One great experiment which the Company undertook was to obtain by separate assignments of land ample income for the support of the public offices, the church, the college, and the university, and thus relieve the people of the chief burden

of taxation; and this measure only failed of permanent success because the revocation of the charter left the Company no time to remove the malignant consequences of the massacre.

The board of commissioners who had been empowered by the King to take over the complete control of Virginia and its people assembled at Sir Thomas Smythe's house in July, 1624; and here it was decided that they should, from that time on, convene once a week. One of their first injunctions was to prohibit the sailing of any ship to the Colony until they had adopted for it a new political framework. This was to prevent the confusion which would follow at once should the news of the charter's recall reach Jamestown before instructions had been received as to how the affairs of Virginia were to be administered in the future. How ignorant the officers there were of the great change which was about to occur is revealed in a letter from the General Assembly to the Privy Council, in which they prayed for the continuation of their present form of government. This was one of the documents which Pountis had been delegated to carry to England, but he died before he could deliver it. A copy of it had been obtained, as already stated, by bribing Sharpless, the clerk; and this was one of the papers read by the commissioners under Sir Thomas Smythe's roof, and perhaps in his presence,—a fact that could not have been agreeable to him, since the General Assembly had, in that paper, implored the King not to consent to their being returned to the rule of the former treasurer and his confidants. Possibly Smythe would not have been taken so intimately into the consultations of the commissioners had they not considered it to be important that the English merchants' support should be secured in the efforts to obtain new supplies of goods and emigrants for the Colony. Indeed, as we have already pointed out, it was James's plan to erect a merchants' corporation for purposes of trade, under the general direction and supervision of the commissioners, while he reserved to himself and the Privy Council the control of the political government.



In August, 1624, a commission was sent to Sir Francis Wyatt to continue in office, but no provision was inserted for the retention of the General Assembly. The only light created for the guidance of Wyatt, in the performance of his duties, was the instructions accompanying the commission. Apparently the King had no intention of keeping the General Assembly in existence. Fortunately, he soon died, (April 6, 1625); but even if he had lived it would have been found impossible to govern the Colony exclusively from London as it grew in wealth and population.

In May, Charles the First, James's successor, issued a proclamation in which he stated that he was resolved that there should be a uniform framework of administration throughout the English monarchy; that Virginia, like every other part, must depend on the King in state affairs; and that it was only in matters of trade and commerce that the people of the Colony were to be subject to the management of a corporation. Although thus enunciating precisely the same political principles as his father, he was, nevertheless, much more friendly to Sandys, Southampton, and Ferrer. It was to them that he addressed the two questions: what was the best form of government for Virginia? What kind of contract for the monopoly of its annual tobacco crop would be most conducive to the increase of the colonists' prosperity, and the revenues of the royal treasury? It was to these questions that the Old Company replied in an elaborate "discourse," the swan song of that great association as it proved to be, for it made no real impression on the inherited policy of the throne.

In October, 1625, Sir George Yeardley, the representative of the General Assembly, arrived in London, and, in a few days, submitted a petition of that body to the King, in which it was affirmed that the people of Virginia, at the time of its writing, were in a state of great distress, not only on account of the lack of indispensable clothing and other articles equally necessary, but also because of their apprehension lest all the

profits of their tobacco crops would be swallowed up by monopolists in England. They also feared lest the validity of their titles to their private holdings in land should be destroyed, and they prayed that these titles should be confirmed by an Act of Parliament. But it was about the continuation of "the liberty of their General Assembly" that they were most deeply concerned, as this, they said, was the only means that they possessed of preventing their governors' oppressions and of transacting public business with promptness. Before any reply had been returned to this petition, a letter dated October, 1625, was sent to Virginia with instructions for the Governor and Council, but containing no provision for the retention of the General Assembly. This was simply a repetition of the communication despatched in August, 1624.

In March, 1626, Sir George Yeardley himself was appointed governor, and there was also named a council to advise him, composed, amongst others of less prominence, of Sir Thomas Wyatt, Sir John Harvey, Francis West, George Sandys, and John Pott. Wyatt, then filling the office of governor, set out for England before Yeardley arrived at Jamestown, and his place was temporarily taken by West. It was not until Yeardley assumed control of the administration of affairs in Virginia, that the Colony passed,—nominally at least,—from the Company's management to that of the crown. In reality, the power of the Company had been superseded two years before. In the interval between 1625 and 1626, no House of Burgesses could be legally elected. In the place of the General Assembly, conventions were held made up of the Governor, Council, and the most influential citizens; and by these bodies all public business was transacted, under the title of "Governor, Council, and Colony of Virginia, assembled together."

It was not until the autumn of 1627 that Charles would consent to the rehabilitation of the House of Burgesses;² and

²Charles' consent preceded Yeardley's death in November of this year but it was West and not he, who had the honor of summoning the Assembly together again.

he did this only after an urgent petition had been received from the people of Virginia. The instructions from the King to Governor West to call an assembly in the spring of 1628 were carried to Jamestown by William Capps.

CHAPTER XVIII

ADMINISTRATION OF SIR JOHN HARVEY

West resigned the office of Governor in March, 1629, and was succeeded temporarily by John Pott, a physician, and a member of the Council, who had incurred even in that atmosphere of relentless hostility to Indians some odium by the use which he had made of his professional knowledge on the occasion when he had poisoned, or at least had been strongly suspected of poisoning, a number of those copper-colored outlaws. The Governor and Council, as well as the Treasurer and Secretary of State, were now appointed by the crown.

In 1630, Sir John Harvey superseded Pott, who had been elected by his fellow-councillors. Harvey's activities as one of the commissioners in 1624 were not calculated to invest his person with favor in the eyes of the people whom he was now called upon to rule; and it is quite possible that his failure in this capacity had its origin in part in the enmity which was aroused against him in that year. He left England with a great respect for the real or supposed prerogatives of the King, and with a clear perception also that he could only continue to hold his new office by subordinating the wishes of the Virginians to the orders of the throne, should the two conflict. It was inevitable that this practical view of the conditions of his tenure should, at times, make him unacceptable to the Council and the General Assembly alike. He was much more dependent on the good will of the authorities in England, his superiors, than he was on the favor of the authorities in Virginia, his inferiors, or at least, not more than his equals. It was, therefore, natural as well as indispensable to his own

official safety that he should turn his ear more attentively towards London than towards Jamestown.

But Harvey seems to have been worse than a tactless man. He was, indeed, of an uncontrolled, unreasonable, and undignified temper, with a disposition to arbitrariness that irritated the popular mind as much by its manner as by its spirit. His first act after his arrival was to remove Dr. Pott from his seat in the Council, on the ground that he had been putting his private mark on the buttocks and shoulders of other people's hogs and cattle. Pott was ordered to remain on his plantation; but, growing tired of its seclusion, he visited Elizabeth City, where he was soon arrested at Harvey's command, and was only saved from the walls of the local jail by the pleadings of influential friends. He was, however, put on his trial, convicted, and deprived of his whole estate; and he would again have been in danger of prison had not Harvey come forward and asked for his freedom, on the ground, that, if he was incarcerated, the Colony would be without a physician. Mrs. Pott was a woman of resolution and energy, and she hurried off to England to complain to the Privy Council of the injustice that had been done her husband and his family by the confiscation of his property. That body was convinced of the truth of her claims and ordered the restoration of every thing that had been seized. Pott and all his friends very naturally became bitterly antagonistic to Harvey.

But Harvey, not satisfied with this new batch of personal enemies, at one stroke made foes of the entire membership of his council by declaring that their approval was not necessary to the validity of his decisions as governor of the Colony; and that their only function was to give advice, which he was at liberty to accept or reject as he might choose. This led them to go to extremes in a spirit of contradiction. They asserted that his only legal part in the decisions of the council was to cast a ballot when that body was deadlocked by a tie. Every obstruction that they could throw in the way of his performance of his official functions they threw, until he became

so exasperated that he complained of their conduct to the King and Privy Council; but the only result of this was a warning to both sides in the controversy that they should keep the peace with each other, and devote their time, not to quarreling, but to increasing the Colony's prosperity. There seems to have been a suggestion of ironical dryness in the Council's reply to this warning. "We will give the governor," they said, "all the service, honor, and due respect which belongs unto him as his majesty's substitute."

The wrangle soon began again; but its initiation does not seem to have been Harvey's fault. Some ten years before, Lord Baltimore, a Catholic and courtier of great influence, had been granted by the King a large area on the island of Newfoundland, to be used as the site of a colony for persons of his own faith. A brief personal experience of that gloomy country, to which he went with his wife and children and numerous other companions, convinced him that its soil was too infertile and its skies too inclement for his purpose. Indeed, the ground was icebound from the middle of autumn to the middle of spring, whilst the surrounding waters, during this interval, were either frozen hard or blocked with floating bergs. Only seasoned fishermen could endure the penetrating gales over sea and land.

Baltimore wisely decided to abandon this inhospitable shore. He petitioned the King for the right to remove his family and retinue, numbering forty persons, to Virginia, just as soon as a patent to a definite seat in that Colony could be issued to him; and this patent he requested should be an exact duplicate, in the scope of its powers and privileges, of the one which he had obtained to Newfoundland. These powers and privileges were those of a proprietary government, and, therefore, inconsistent with the system which prevailed in Virginia, which was now that of a crown colony.

Baltimore arrived at Jamestown in October, 1629; Pott was then at the head of the administration; and he and his council received the stranger and his attendants with cold-



GEORGE CALVERT
First Lord Baltimore

ness. It was sufficient cause for inhospitality that he and the members of his party were Catholics. The division between Protestantism and Catholicism, at that time, was not simply one of conflicting creeds. It was chiefly one of political loyalty, since every Catholic, in that age, considered himself as bound in his primary allegiance to the Bishop of Rome, and thought that the orders of the Roman See took precedence of the orders of the English King. Such at least was the conviction of the Protestants, and it was a conviction not entirely born of bigotry and intolerance. As the political and spiritual interests of the Roman See and those of the British throne were not in harmony, there were certain to arise occasions when the Catholic subjects of the English King would be called upon to subordinate their temporal monarch to their ecclesiastical head.

Baltimore had proved himself to be a devout Catholic by his effort to establish a colony of people of his religion in the storm-beaten North. Virginia was the spiritual offspring of the Anglican Church, and for that reason, apart from political suspicions, this new-comer and his following were not wanted there. He was commanded to take the oath of supremacy, which was an acknowledgment of the ecclesiastic headship of the King, and he declined; but he asserted his willingness to take the oath of allegiance, which admitted the King's political headship. In the view of Pott and his council one of the oaths was inadequate without the other. The two in their opinion were complementary, and both must be taken; and as Baltimore refused to do this, they ordered him to embark with all his retinue. They were not satisfied to stop with this act, but sent William Claiborne to England to combat any attempt on Baltimore's part to obtain a patent to any portion of the soil of Virginia.

Baltimore soon died, but his son, in spite of Claiborne's opposition, acquired in 1632 a grant to all that section of the Colony which was situated north of the Potomac River. The Virginians were outraged by this grant because it violated the

provisions of their original charter,¹ introduced an antagonistic religious sect into their community, diminished the profits of their Indian trade, and broke up their monopoly in the exportation of tobacco. Their remonstrances, which were natural, but unreasonable, because of the vastness of this unoccupied territory, fell upon a deaf royal ear. The King ordered Governor Harvey to put a stop to any attempted interference with Baltimore's taking possession of the region assigned him; and he was also to give the new colonists all the aid needed in the transportation of their servants, cattle, and merchandise. These were specific instructions to Harvey, which he had to obey, however much more unpopularity it might throw upon him in the eyes of the Virginians.

Leonard Calvert, representing his brother Cecilius, arrived at Point Comfort in February, 1634, with a company of several hundred persons. It is quite probable that Harvey shared those prejudices against these people as Catholics which were felt by his enemies in the council, and it was equally probable that he did not approve of the subdivision of the Colony; but his tenure of his office was dependent upon his subservience to the King, and he, therefore, stretched out a hospitable hand to Calvert and his followers, and even gave them several cows to form a part of their permanent stock,—perhaps these were the poorest in his herd,—and he made a loud cackle over the supposed generosity of this gift in a letter to the King.

These acts on his part increased the hostility of the councillors towards him. William Claiborne especially was as bitter as gall. He had, some years before, under a simple license to trade, made a settlement on Kent Island in the Bay. Notwithstanding the fact that the patent to Baltimore had now been granted,—which included this island in its bounds,—Claiborne declined to recognize its pertinency to his plantation. Leonard Calvert, on his arrival, had gone so far as to express his willingness to permit that plantation to remain

¹The charter had really been repealed in 1624.

precisely as it was, provided the proprietary rights of his brother were admitted, but Claiborne,—under the influence, perhaps, of religious prejudices or trade interests,—very unreasonably rejected this conciliatory message. Jamestown and not St. Mary's, he said, was the capital of his island colony. It was soon falsely reported to Calvert that Claiborne was turning the Indians against the Catholic settlers. This left such a feeling of uneasiness and enmity in Calvert's mind that, hastily suspecting Claiborne of carrying on an illicit trade with the savages, he seized a boat belonging to him, and, subsequently, ran down a vessel which had been sent to avenge the previous capture. An engagement between the two opponents was fought in the broad mouth of the Potomac, and Claiborne was successful in the battle. The Virginians loudly applauded his boldness, determination, and courage, whilst Harvey, in obedience to his instructions, continued to be active in assisting Calvert to enforce his rights under his patent.

CHAPTER XIX

EXPULSION AND RETURN OF HARVEY

The councillors, more exasperated than ever against Harvey, looked around for some means of striking him a fatal blow. Captain Young, holding a commission from the King, had been empowered to seize or build boats for the royal service, if he should find himself unable to purchase them. He obtained Harvey's permission to impress certain carpenters, who were then under indenture, to construct two shallops. The council protested, on the ground that this act was in conflict with the provisions of an existing statute. Harvey admitted this, but, in his own defense, pointed out the specific terms of Captain Young's commission. The council, however, refused to accept his explanation as fully satisfactory,—perhaps because they were afraid that he would offer the like clause in his own commission in justification for some similar violation of the law. Samuel Matthews accused Harvey to his face "of doing things calculated to raise bad blood in Virginia," but as Harvey was simply carrying out in this case what he had been carrying out in the case of Calvert,—the royal command,—the fault would seem to have been with the King, and not with himself.

Other councillors besides Matthews were present at this scene. "Come, gentlemen," said Harvey, "let us go to supper, and for the night have done with this discussion," words that would appear to indicate no very violent mood on his part. The councillors refused to accept this conciliatory invitation, and left his company in a huff. Not long before, Harvey, in an undignified wrangle, had knocked out Captain Stone's front teeth,—possibly in resentment of some remark, like

Matthews', provoked, not so much by any real dereliction on his part, as by his increasing personal unpopularity.

Another order from the Privy Council brought Harvey, as the royal representative, in conflict with the House of Burgesses. In 1634, the King offered to buy all the tobacco then produced in Virginia; but that body was not willing to consent to this arrangement; and they, therefore, addressed to the Privy Council a letter which seems to have stated their objections very diplomatically. Harvey, confident that this communication would arouse resentment, and that the act of his forwarding it would jeopardize his tenure of his office, very reasonably suggested that the letter, in the form of a petition, should be submitted to the colonists at large for their signatures. In the meanwhile, he continued to hold the original document in his possession instead of forwarding it to London. This conduct seems to have been visited with violent popular disapproval, and meetings were called in various parts of the Colony to condemn it.

One of these took place at the house of Dr. Pott, who had reason to hate the governor with bitterness. Friends of Harvey, getting wind of this assemblage, endeavored to enter the house to break it up, but one of the physician's servants barred the door, and they were forced to follow what was going on inside through the keyhole. Like people in general who eavesdrop, they heard no kindly sentiments expressed towards either themselves or their principal; and they quickly reported to the governor the acrid utterances which had come so surreptitiously to their ears. Harvey in a passion issued a warrant for Pott's arrest and imprisonment. It seems that an appeal to the King had, at Pott's instigation, been circulating among the people for signatures, and he defended those who signed it by saying while in jail that every citizen had a right to approach the throne; and that the persons who petitioned in this case did so because they had no confidence in Harvey's sense of fairness.

Harvey at a session of the council demanded that Pott

should be tried by martial law for sedition; but the members declined to agree to this step. In a rage, he began walking up and down the apartment, pouring out, as he did so, a torrent of abusive words, whilst the silent councillors looked on scornfully or satirically. Exhausted at last, he took his seat, and a long silence followed, which was broken by his saying, "What do you think that they deserve who have gone about to persuade the people from their obedience to his Majesty's substitute? I begin with you, Mr. Meniffee." "I am but a young lawyer," was the guarded reply, "and dare not upon the sudden deliver my opinion." Councillor after councillor took the cue which Meniffee thus gave and politely refused to answer. Matthews, however, with characteristic boldness, made a vigorous protest against Pott's arrest as well as against other acts of the governor which he considered illegal; and at this, Harvey began to storm again, until finally the meeting abruptly broke up.

As soon as the council reassembled, the governor at once brought up the subject of the popular appeal to the King, which contained some severe reflections on his public conduct. When Meniffee acknowledged that he had read this petition, Harvey cried out, "I arrest you upon suspicion of treason to his Majesty." "And we," exclaimed Utie and Matthews, laying their hands on his shoulders, "arrest you for treason to his Majesty." At a signal from Pott, forty musketeers, who had been hidden by him from view, ran forward, with their pieces ready to fire; but at his order, stopped at the door. Matthews was now seeking to soothe the outraged feelings of the unhappy governor. "No harm is intended you, Sir," he said. "We only want to acquaint you with the grievances of the people. Their fury is up against you,¹ and to appease it is beyond our power, unless you please to go to England, there to answer their complaints." Harvey very properly refused

¹This is another instance of the use in the seventeenth century of an expression considered in our times to be simply slang.

to do this. "I have been made governor of Virginia by his Majesty," he said with dignity, "and without his consent, I will not leave my charge." But realizing his forlorn situation at Jamestown, and apprehensive of a personal assault, which his body-guard by itself would be unable to ward off, he, in the end, consented to leave the Colony and return to England.

He was treated with disrespect before his departure,—his order to the General Assembly to dissolve, for instance, was disregarded; and he was also refused repossession of his formal commission and instructions, which had been taken from him. The Councillors elected Captain Francis West in his place; and a committee of the Assembly, having drafted a series of resolutions in justification of Harvey's expulsion, appointed Thomas Harwood to deliver them in person to the Privy Council. Harwood was accompanied by Dr. Pott. Unluckily for both, they went out to sea on the same boat as the Governor, who, when land was made at Plymouth, persuaded the mayor of that town to arrest the physician and to seize the documents in Harwood's custody. The circumstances of Harvey's removal from office came up in December, 1635, before the Privy Council. Harwood stated, in that presence, that the governor, if he ventured to return to Virginia, would be pistoled; but the Council, as a matter of political expediency, decided that he must be acquitted; and acquitted he was. They probably did not think that the charges were very serious, as he had, in most of the actions which were questioned, been simply obeying the royal instructions. All his opponents in the Virginia Council were summoned to appear in England to answer for their conduct.

The elated Harvey asked the Government for a man-of-war, so that he could return to Jamestown in state to resume his old duties; but was constrained to sail in a common merchantman, after his nobler vessel had sprung a leak. Arriving in January, 1637, he promptly dropped from the Council every hostile member and filled the vacancies with men who had shown friendliness to his person; but he very prudently

issued a proclamation of pardon for all who had sympathized with the uprising against himself, except for those who had actually ousted him from his seat. He was particularly vindictive against Samuel Matthews, as the leader of the successful movement to expel him. "I will not leave him a cowtail to his name," he exclaimed; and this consummation, in Matthews' absence on trial in England, he endeavored to bring about through Secretary Kemp and his other partisans. These men broke the locks of the Matthews house, tousled the papers, and carried away the goods, cattle, and servants. Only a small share of this property was ever recovered, although Matthews had secured an order from the Privy Council that all was to be returned.

Rev. Anthony Panton had, for some reason, denounced Kemp as a "jackanapes." He was arrested at the instance of that underling on the score of speaking disrespectfully of Harvey and the Archbishop of Canterbury,—a somewhat amusing, because so incongruous, a combination; was fined five hundred pounds sterling; and compelled to confess himself in fault from one end of the Colony to the other. He was then banished from Virginia, with the warning that he would have his head chopped off if he ventured to come back.

In the meanwhile, Harvey's enemies in England were intriguing night and day to undermine him. A committee had been appointed by the Privy Council to investigate the charges against Matthews and his associates; and to this body every person returning from the Colony with a grievance against Harvey was referred by these shrewd exiles. The governor complained that spies were employed to ferret out all the discontented Virginians who were visiting London. But the most influential of all his enemies were persons among the British merchants. The English Government has always been particularly sensitive to the wishes of its citizens in trade, and now, as before, it turned a very attentive ear to every complaint which these men for any reason were led to make. They criticized especially the following measures recently passed

by the General Assembly: the export duty of two pence on tobacco; the import duty of six pence on every immigrant; and the levy of powder and shot on each ship arriving at Point Comfort. Harvey was not the author of any of these different laws,—he seems only to have defended their passage, which was not at all to his discredit; but the Privy Council had grown irritable over the complaints of every sort directed against him, and displaced him by the appointment of Sir Francis Wyatt.

Now began a drama of stroke and counterstroke. So soon as the new governor reached Jamestown, Harvey was summoned to court and compelled to disgorge a large part of his estate as really the property of Matthews, Panton, and others; nor would Wyatt, in his fear of what might be reported in England, permit him to leave the Colony. In vain Harvey declared that his physical infirmities called for the skill of English physicians. All this time he was writing letters to the Privy Council bemoaning the oppression under which he groaned, the robberies of which he was the victim, and the malevolence of which he was the target. Kemp too was brought into court to answer for arbitrary conduct towards Panton and other citizens of the Colony. These decisive measures of Wyatt, by raising up a swarm of enemies, in the end led to his own displacement. Hostile suggestions and complaints, trickling into the ears of the King and Privy Council, took time to do their baleful work, but ultimately they were successful.

In 1642, Sir William Berkeley received the commission of governor, and it was said that his nomination was the indirect result of the poisonous intrigues that had accompanied the endless quarrels in Virginia. Apparently, he had no direct connection whatever with any of these controversies; and his appointment was undoubtedly due to the sheer influence of a brother who occupied a seat in the Privy Council, in which body, he enjoyed all the prestige of one of the most distinguished families in the English peerage.

CHAPTER XX

FIRST ADMINISTRATION OF SIR WILLIAM BERKELEY

The ambassador of Venice, standing in the midst of the splendors of Versailles, was asked by Louis XIV to mention what impressed him most in his surroundings. "To find myself here, your Majesty," was the unexpected reply. The presence of Berkeley at Jamestown in 1642 must have occasioned him to feel a somewhat similar sensation, not because the environment was splendid from any point of view, but, on the contrary, because it was a bare, raw, and unattractive village in the gross wilderness, while he himself was one of the most polished courtiers of his time. That was a scene which might possess a charm for an Englishman with a taste for an isolated, independent existence in the remote plantations beyond sea; but a man of Berkeley's type,—a favorite in London drawing rooms, the glass of fashion and the mould of form, and at the same time, so gifted in intellect and so highly educated that he had won some notable successes as a playwright,—why should he, brilliantly placed as he was in the greatest capital of the world, be willing to turn his back on all its pleasures and diversions, and take steps to cross a wild ocean to become the governor of a sparsely populated colony, without wealth, without cities, without social distinction? Did he desire to use his new position to make money, like his successors, Culpeper and Howard, and afterwards to return like them to England to spend it? He was never suspected of speculation, and he never left the Colony until forced to do so by the upshot of the rebellion in 1676. His fortune seemed to



SIR WILLIAM BERKELEY

be as large at the beginning of his administration as it was at the end, thirty-five years later on.

Into that lonely, unconquered region, with its vast forests and its great rivers, leaped this vigorous, bustling, impulsive representative of the oldest English aristocracy gathered about the court at Whitehall, and, before many years had passed, he had become as thorough a Virginian in heart and mind as if he had been born and had grown up within the sound of the sighing pines of the coast and the rippling inland streams. To the courage and high spirit of the cavalier, he joined the cavalier's preposterous notions of the King's divine right, and the sacredness of all official authority. He was also opinionative, impatient of opposition, and restive and even explosive in temper. So long as the Colony was at peace, he showed dignity and sound judgment in his conduct; but when the civil commotions began, he lost every attribute of the statesman and even of the gentleman, and became, at times, a demon of cruelty, only pardonable on the theory that his sanity had been destroyed by the terrible stress imposed on his intellect and passions.

Berkeley's first act as governor was to appoint Matthews, Pierce, and Meniffee to seats in his council, although these men had been up to the neck in the expulsion of Harvey. His next step was to adopt a frank and conciliatory attitude towards the Assembly by declaring himself in harmony with that body in their disapproval of the proposal to reestablish the political overlordship of the Old Company, which was now brought up by George Sandys. And as the King was also hostile to the suggestion, this project was in a short time permanently dropped.

During the Parliamentary rule, it was frequently said to Berkeley's credit that he had never endeavored to use the General Court to advance his own purposes. In 1643, he signed a bill that authorized appeals from the decisions of that court, over which he presided, to the General Assembly. This was a popular measure, which necessarily diminished the

importance of the quarter courts. He would not have exhibited this liberal spirit after the Restoration. During his second administration, he was charged with packing the seats of the county benches with his creatures; and he also showed a disposition to encroach on the Assembly's exclusive right of taxation. But that he bore himself tactfully and discreetly during his first administration was proven by the General Assembly's generosity in presenting him with two houses and levying a special tax for his benefit to make good a default in his allowance by the English treasury owing to the civil commotions.

Berkeley was always conspicuous for courage. He first displayed this quality after his arrival in Virginia, in the war which followed the massacre of 1644. During the long peace preceding that year, the older parts of the Colony had become too populous to be threatened by Indian uprisings, should they occur elsewhere. The massacre of 1644 fell on the frontier settlements alone. Those south of the Powhatan River suffered most. Berkeley in person led the expedition against the Nansemond and the other tribes seated in that region, who were pursued into the swamps and pine forests, whilst their maize fields and vegetable gardens were invaded and cut or trampled down. Opechancanough was at the bottom of the massacre. He was now a very old man, and so infirm that he had lost the power to raise his eyelids, but his cunning in contriving a devilish plot was as acute as in 1622. He was captured, and whilst in the custody of a guard was shot in the back and killed. Necotowance, his successor, entered into a treaty with the government at Jamestown, in which, as a sign of submission, he agreed to pay an annual tribute of beaver skins; but what was more important, he consented to transfer the title to all the lands situated between the modern York and James Rivers, from their falls down to the sea. Thirty-two years of peace followed; and the treaty would not have been broken then had it not been for the intrusion of the Susquehannocks.

It is possible that Berkeley's indisposition to return to England, and his complete identification with the Colony, was, during his first administration at least, to be attributed, in some degree, to the turmoil which accompanied the relentless war then going on in the mother country. As the fortunes of the cavaliers grew darker, many of them emigrated to Virginia, where they found in the governor a sympathetic companion and a violent loyalist. The fervent allegiance of the Virginians was not shaken by the repeated defeats of the King. As early as 1642, all persons convicted of speaking words of detraction about him and his queen, were banished from the Colony. By this year, the Battle of Edgehill had been fought. At no time was organized support of the cause of Parliament given by any large body of citizens. In 1648, the year before Charles's execution, when the throne lay in ruin, a complaint was heard that the Governor and Council had impressed soldiers by warrant without first obtaining the General Assembly's consent. This action, it was claimed, was an infringement on the liberties and rights of the people; but the Assembly itself refused to consider the accusation, on the ground that the officials attacked had derived their powers directly from the King through repeated instructions to their predecessors as well as to themselves; and that it was very unbecoming in any one to fail to acknowledge the extraordinary care and forethought shown by his Majesty in conferring such a power on the Governor and Council, as, by means of it, they had always been prepared to defend the Colony without delay.

When the Virginians heard that Charles had been beheaded, the General Assembly publicly denounced "the treasonable principles and policies" of the triumphant party in England which was responsible for the "crime" of his death. This party, they said, was not satisfied with regicide, but was systematically "aspersing the memory of the martyr," and was denying and scouting the "divine right of kings." Any one in Virginia who should be reported as defending these

“flagrant and impious proceedings,” should be taken as an accessory after the act to the “murder” of the monarch; and should anyone venture to cast reflections upon his conduct during life, then that person was to be subject to such severe penalties as the Governor and Council should impose. Any man who questioned the right of Charles II to succeed to his father’s throne was to be arrested and punished as a traitor.

No dictate of prudence, no weak leaning towards a side simply because it was victorious, was allowed to influence these zealous supporters of the principle of royalty. The Civil War had gone on too far away from Virginia to affect seriously its inhabitants’ welfare. Their material condition had not been injured by battles, sieges, and raids at their very doors, as had happened to their English kinsfolk, while the political controversies involved in the contest between the two antagonists were too remote to be grasped by them as bearing on the well-being of all English subjects. So far as the bulk of the people of the Colony could see, the King was fighting for the preservation of his inherited prerogatives against a vast multitude of rebels; and that spectacle, shocking their loyal feelings, aroused their indignant sympathy in his behalf.

All Berkeley’s influence was exerted to confirm and spread this sympathy. However serious his faults, he was not the person to allow his impulses to be controlled by suggestions that were wholly politic; indeed, he had no toleration for any form of compromise; and in this great crisis, he omitted no opportunity to express his detestation of the Roundheads and his admiration of Charles’s character and devotion to his person. His influence was seconded by that of the large body of cavaliers who had found an asylum in Virginia, where their social accomplishments, experience in arms, and fidelity to the throne, had given their convictions and sentiments extraordinary weight.

Besides their personal loyalty to the King to make them hostile to Parliament, the Virginians as a body were ardent

supporters of the Anglican Church. From the beginning, all the governors had been instructed to uphold its forms and doctrines; and not one had obeyed with more sympathy and energy than Berkeley. He looked upon dissent as the shadow of treason, and he never grew cold in the encouragement which he gave to the passage of acts leveled at the Quakers and the Puritans, and he never softened the sternness with which he enforced them. The massacre of 1644 was openly interpreted by these sects as the judgment of God upon the persecutions which they had suffered for their religious principles. As late as 1649, Edward Lloyd and Thomas Meares, commissioners of Lower Norfolk County, and six other citizens of the same high quality, were indicted as seditious secretaries because they had refused to listen to the reading of the Book of Common Prayer; and they were required to give bond that they would appear before the Governor and Council sitting as an ecclesiastical court in Jamestown. This instance discloses the rigidity of the treatment of the Puritans as late as the year of Charles's death on the scaffold.

It is a proof of the numerical weakness of this religious body and the smallness of its aggressive influence, that, even after the Cromwellians had beaten down all opposition in England, there should be no movement in Virginia in sympathy with the Parliamentary victory. By this time, there had arisen in the Colony a large circle of small landowners, recruited more especially from the ranks of those whose indentures of service had expired. These men, as a rule, did not think that their interests conflicted with the interests of their wealthy neighbors; and they were quite as earnest supporters of the old order of church and state as it formerly prevailed in Virginia. They felt as a body that they were in the same boat with the members of the higher social class, and there was only room for friendship and cooperation. The fact that the General Assembly, in 1648, created a small personal guard for Berkeley is simply a proof that the assault of a single fanatic was feared, but not an uprising on the part of many.

The Rebellion of 1676 demonstrated clearly that the mass of common people were perfectly ready to spring to arms against the upper class if the impulse to do so had taken possession of their minds. Not even the headstrong Berkeley would have dared to announce his purpose of defying Parliament with a sword in his hand, had he not been aware that there stood at his back representatives of every rank, who were practically unanimous in supporting him in his proposed resistance. Berkeley had a correct impression of the power of England—its power in treasure, its power in ships, its power in soldiers. He knew all this by what he had seen with his own eyes. Standing there in the forest wilderness, with its sparse population, its scattered homes, its lack of vessels of war, its small supplies of ammunition and arms, its decayed fortifications, its untrained militia, he defied the greatest general of the age—Cromwell, and the most powerful body of men—the English Parliament.

Parliament did not take up at once the gauge of battle which Berkeley and the General Assembly had passionately thrown at its feet. Its first act was statesmanlike rather than warlike—it adopted a policy of blockade, a modern method of great shrewdness. No foreign ship was to be permitted to pass between the Capes; and no English ship either, unless it carried a license from the Admiralty in London. As Virginia was forced to look to the market overseas for the sale of her tobacco and the purchase in return of all manufactured supplies, the proposed screw would have been crushing had it been enforceable. Berkeley apparently anticipated the effects of the blockade with no apprehension. He was confident that Dutch traders would be able to evade the barriers and steal in; but, should he be mistaken after all, it was quite practicable for the Virginian planters to give up the culture of tobacco for the culture of wheat and maize, and to find substitutes for English clothes in the product of their own looms.

CHAPTER XXI

THE INTERREGNUM

In June, 1650, Berkeley and his council received commissions from Charles II that continued them in their respective offices. These documents had been brought to Virginia by Richard Lee, who, after the death of the first Charles on the scaffold, had hired a Dutch vessel, and loading her with a cargo of tobacco, had set sail for Holland, where the new King was then in exile with his most faithful courtiers. Berkeley's expectation proved to be correct—the Dutch vessels entered the Bay without serious molestation, owing to the demand for the English guardships on the home coasts. They brought in a large quantity of merchandise, and they carried off to the Low Countries the tobacco crops of the planters.

The English traders were quick to detect their loss through the failure of the blockade, and they clamored for a more powerful measure to bring the colonists to terms. In consequence of these men's representation, palpably interested as they were, and of the acknowledged ineffectiveness of the blockade, the government of the Commonwealth sent out commissioners to Virginia to demand its surrender, and they despatched along with them a small fleet and a respectable body of troops. These commissioners were authorized to establish in the Colony a form of administration that would be in harmony with the one which had been adopted in England. They were men of ability and experience. Their names were Richard Bennett, Thomas Stagge, William Claiborne, and Captain Robert Dennis. Just before their arrival off the Capes, the energetic governor—so it was charged by the local partisans of Parliament—had been busy bending the various

bodies of militia to his will, and had talked of nothing else but "burnings, hangings, and plunderings." He threatened some, he flattered others—such was the assertion of these partisans. "Actually," they remarked in words of sincere but somewhat comical grievance, "he curbs and discountenances all professions of godliness. He has induced the priests to stir up the people, and he has lied about the King's strength and successes."

All these caustic averments were, doubtless, not in the smallest degree exaggerated, for it was admitted that, when the commissioners arrived in the Bay, the whole country had been put in a strong state of military defense by the governor's indefatigable efforts. Parliament, impressed by his belligerent attitude, and also by that of the General Assembly, justly thought that the commissioners might need more support than the fleet could give; and they were, therefore, empowered, if they saw fit, to raise a large body of troops in Virginia. It was the hope of the English Council of State that the Puritans, and also the servants on a promise of freedom, could be relied upon to be enrolled as recruits; but the practicality of such help had been paralyzed, if it had ever existed at all, by those activities of the governor which we have described. When the presence of the fleet in the Bay was reported to him, he called out the militia and assumed command of the entire body, and in order to strengthen further the defenses at Jamestown, he not only erected batteries on the banks of the river and loaded the guns with heavy shot, but he impressed several Dutch vessels lying in the stream and turned the muzzles of their guns in the path of the enemy's expected approach. In the privacy of his own breast, Berkeley must have been aware that the armed resistance which he proposed would, in the end, fail, and that, if the present fleet was beaten off, another would, in time, appear in the same waters. But whether he believed or not that he could halt the Parliamentarians, his course was the one that was best calculated to secure the most favorable terms from

the commissioners. Indeed, the front which he offered was so formidable that they perceived at once that they must show prudence and discretion in their plans for compelling the submission of the Colony.

The commissioners early employed one advantage which they possessed. On board of the fleet, there happened to be a large quantity of merchandise assigned to certain members of Berkeley's council. These men were informed by special messenger that their goods would be confiscated if they took any part in resistance to the fleet; and the impression created by this threat was increased by the commissioners' intrigues with prominent men on shore.

Finally, the two sides came to an agreement, which resembled more a treaty of peace than articles of surrender. Its most important provisions were: (1) that Virginia should enjoy an unfettered right of free trade;¹ (2) that no taxes were to be imposed on her people except through the General Assembly; (3) that all fortifications to be erected in the Colony were to be built only after the consent of that body had been given; (4) that a general pardon was to be granted for the hostility that had been displayed by so many towards Parliament; (5) that anyone wishing to leave the Colony was to be allowed one year in which to depart; and lastly (6), that, during the whole of this year, the Book of Common Prayer could be used in the churches. Berkeley and the members of his council were included in all the privileges of these liberal terms; nor were they prohibited from sending a full account of the change of government to Charles in Holland.

A General Assembly was summoned to confer with the commissioners upon the special form which should be given to the new administration; and the central feature of the framework adopted was that the acts of the House of Burgesses should be subject to the veto of the Head and Council

¹The first act of navigation was not strictly enforced, but so far as it was, Virginia was perhaps subject to its provisions like all the other dominions of England.

of State in England alone. The House was not only to choose the governor, but also the members of his council; and it was empowered to define the functions of both, except that none of the prerogatives of the old order were to be retained. While Cromwell and his Council of State do not appear to have conceded the House's right to select the governor, they were too much absorbed in the still unsettled affairs of England to interfere with any choice that had once been reached. At least, the appointments which were made by the House were not in any case superseded. The only pressure that seems to have been employed was purely economic in its nature. But the first Act of Navigation, which applied to all the colonies, was not severe in its requirements. It did not, for instance, prohibit the export of tobacco to Holland.

Richard Bennett, an earnest Puritan, was the first to be selected as governor. He had been, as we have seen, a member of the Parliamentary commission, and by his long residence in Virginia, was fully versed as to its needs. His administration was disturbed by only one incident of importance—this was the menace of an uprising on the Eastern Shore. Somehow the popular impression had got abroad there that this entire region was independent of the government at Jamestown. During several years, no election of burgesses was held there, as no summons was issued; and when the General Assembly included the Shore in the scope of its tax levy, a protest was at once lodged against the supposed intrusion; and so great was the commotion which followed, that the Assembly was compelled to send its representatives there to punish the persons who had instigated the revolt. This was in June, 1653. During the previous year, the discontent prevailing in that part of the Colony had been converted into alarm by the rumor that the numerous Dutchmen among the inhabitants were inviting the Indians to attack the plantations there. The trade of the Shore too was injured to some degree by the Act of Navigation. By prudent measures, peace was finally restored.

The governor, remembering the former power of his office, was disposed to kick against the limitations put upon it. The question arose in March, 1657-58, whether he was authorized to dissolve the Assembly. The House denied his right to do this, and positively refused to refer the point in dispute to the Protector. It went so far as to deprive Matthews and his council of all their functions, and only restored them when those officers consented to hold their posts subject to the House's control. No power then in existence in Virginia, it was declared, could dissolve the House in opposition to the wishes of that body; and without its warrant, neither its own sergeant-at-arms nor any sheriff in any of the counties could perform the duties of their offices. This warrant had to be signed by the speaker, but it always ran in the name of the Protector.

The House refused to take the advice of the governor in the election of its presiding officer. Bennett had warned its members against the choice of Colonel Chiles as one that would be highly inexpedient, and yet he was selected without regard to that emphatic objection, as if the House desired to show its independence of all dictation. Diggs was too discreet to raise any point of controversy with so bold and determined a public body, and his administration, in consequence, was unmarred by serious antagonisms. But an impression had been made on the government in England that the executive and the legislature in Virginia were always wrangling with each other. The Colony, it was asserted in a petition submitted by persons hostile to the new powers of the House, was "in a loose and distracted condition," and a more settled and definite form of administration was called for. Cromwell was now approaching the end of his great career (1658), and it was doubtless with his approval that a letter was despatched by the President of the Council of State to the Governor and Council at Jamestown enjoining them to enforce the laws and customs to which the people of Virginia had always been subject. The reply to this communication was only despatched

after Richard's accession, and it earnestly petitioned for the prolongation of the existing powers of the House. Governor, councillors, and burgesses all appear to have united in this prayer.

The House, convening about a year after Richard had resigned the Protectorship, reasserted its right to an exclusive authority and ordered that all writs should run in its name. Other measures demonstrated equally clearly that this body had not given up its claim to absolute independence. Its final act, however, was soon to prove that the old order had come back again in its most subservient form—the burgesses elected Berkeley to the office of governor. During the interregnum, he had remained in Virginia.

CHAPTER XXII

FIRST YEARS OF BERKELEY'S SECOND ADMINISTRATION

The election of Berkeley was a sign that the Virginians expected the early restoration of Charles to the throne, and it also demonstrated that the majority of the people still preferred the monarchical form of government. It is true that, in choosing Berkeley, the Assembly required of him that he should acknowledge allegiance to whatever form of administration should be finally adopted in England; but he was too impulsive to accept such a condition, prudent as it was. He refused even to countenance his selection as governor. He would, he said, receive that honor only from the hands of his King; and until the crown should be able to appoint him, he would continue to live as a private citizen. The Assembly asked him to reconsider his decision. Take the office on our commission, that body urged, and should the King be called back to London, then apply to him for the royal commission. If he should never be brought back to Whitehall, then there would be no question of the new governor's right to withdraw from the office.

Berkeley, very naturally, was moved by this persistence, and he finally consented to serve, on the understanding that, whether the King or a new Protector was summoned to the chief seat of authority in England in the near future, the commission to be granted by the Assembly was to expire just so soon as that event should occur. He was influenced in this decision principally by his exaggerated respect for the throne. Although Charles was still in Holland, Berkeley did not dare

to run the risk of offending him by continuing in his office one hour after the monarchy should be set up again, as that would look as if he thought that the Assembly, and not the King, was the fountain of power. He could only prove the contrary by withdrawing promptly from the position so soon as Charles should start for London. The Assembly, he said, arrogated no power to their body further than the distractions in England compelled them to do, and whenever those distractions should end by the restoration of his royal master, the Assembly would willingly abandon its claim to the right of appointment, and return to the regulations of the old order.

Charles, after his return to London in May, 1660, renewed Berkeley's commission. Environed as he was by the former supporters of the Parliamentary regime, the offense of his father's old servant in Virginia in taking office from the Assembly must have seemed small enough, and Berkeley's exaggerated expressions of apprehension probably tickled his cynical sense of amusement as he looked around upon so many courtiers who had only a year before been crooking their knees to Cromwell. Berkeley exhibited one of the several contemptible sides of his character in the fawning excuses which he now offered for his perfectly correct action in a great emergency. He threw himself at the feet of his sovereign, he said, in his thankfulness for being still considered worthy of honor at the royal hands. Did his Majesty think that he had been guilty of weakness in doing what he had done in taking office from the Assembly? It could only be called a weakness. It was no more than to leap over the fold to save his Majesty's flock, when His Majesty's enemies of that fold had barred up the lawful entrance in order to shut in the wolves of rebellion, who were ready to devour all within it.

Berkeley had a remarkable talent for expressing the preposterous and fantastic loyalty of that day; but he was perfectly truthful when he wrote Charles that he had more fear of the King's frown than of the swords and tortures of the King's enemies. Brave as he was, a shadow of disfavor

passing over the face of the monarch caused him to tremble far more than the sound of a musket or the rattle of a saber. The last two, indeed, did not cause him apparently to tremble at all.

Never was Berkeley's courage more firmly and brilliantly shown than in the course of the wars with the Dutch, which took place after the Restoration. The first of these broke out in 1665. It had its origin in commercial disputes that arose and went on in Europe, but which jeopardized the Colony's interests as acutely as if they had had their only scene in Virginia. So soon as the news of the declaration of hostilities was received at Jamestown, Berkeley summoned to arms all the men in the community who were physically able to carry a weapon; and these as a body were ordered to co-operate with the merchant ships anchored in the rivers, and also to complement the crews on board when short of gunners. It was apprehended that De Ruyter would appear off the capes in April (1665), and with a view to facing any troops that might be landed by him, there were held in leash fifteen hundred dragoons and twenty-five hundred footmen. Berkeley was convinced that, even if these companies of soldiers were beaten at first on the banks of any of the rivers, they could retire, without danger of serious obstruction, to the recesses of the woods a few miles inland, and after being reformed, return to the defense.

In the spring of 1666, he marshaled into a single fleet twenty-six merchantmen then lying in Virginian waters, and put in command of it an admiral, a vice-admiral, and a rear-admiral; and yet he was forced to admit that these two dozen or more vessels, armed though they were, and efficiently officered also, would not be able to resist successfully three Dutch men-of-war, should they be encountered in the rivers of the Colony, or off the western coast of Ireland on the voyage to England. He urged the English Secretary of State to provide a strong convoy so soon as the mainland on the European side was signaled.

Nothing occurred at this time to disturb the peace of the Colony. Its people, Berkeley reported, were living in the simple manner of the past age. But for the rumors of a Dutch invasion, they would have given no thought to anything except the occupations of their plantations. "As we are further out of danger than England," he added, "so we approach nearer to heaven with our prayers that his Sacred Majesty's enemies may either drink the sea or lick the dust." The General Assembly showed their approval of the defensive measures of the governor by the restoration of the fort at Jamestown.

In the course of 1667, De Ruyter sailed audaciously up the Thames and devastated both shores without meeting with any real resistance. This triumph was repeated in Virginia by the irruption of four Dutch men-of-war into the waters of the Bay and the estuary of the James. The number of cannon aboard of them respectively ranged from eighteen to thirty-three, and they were also supported by a dogger boat, which carried eight guns. As this fleet had approached the Capes, it had come up with Captain Conway's vessel, but was only able to overhaul it after a fierce battle lasting over six hours. Soon thereafter, the enemy had captured a shallop, and from its crew they obtained all the information that they needed about the strength of the English merchantmen then anchored in the several rivers. There were twenty of these in all, and they were supposed to be protected by a guard-ship sent out by the English Government. When in a normal condition, this vessel was armed with forty-six guns and manned by a trained crew; but at present it was lacking in a mast, its hull was leaking, and its provisions were almost consumed. On the night of the Dutchmen's arrival, its captain, Lightfoot by name, had gone on shore, in company with his paramour, to attend a wedding.

The enemy spent several days in preparing fire ships; and on June 5 (1667), they sailed slowly up to the point in the James River where many of the merchantmen were riding

at anchor. As the hostile vessels came in earshot, their officers forced the English prisoners whom they had on board to hail in their own tongue the seamen who were looking on from the decks of the English ships; and in order to deceive the latter still more successfully, they ran up English flags at their own mastheads. But suspecting the presence of a ruse, the English skippers drew up their anchors and retired under the supposed protection of the guns of the guardship, which, in reality, was manned only by thirty sailors. Two of the Dutch vessels quickly followed and fired a broadside into the man-of-war, while a third pursued the merchantmen, now attempting to escape from so dangerous a corner. The majority were soon overtaken, and the torch was at once applied to six of them. In the meanwhile, the guardship was also going up in flames. Had the merchantmen retreated to Jamestown so soon as the Dutch fleet entered the Capes, not one would have been lost; but their Captains were so confident of the guardship's ability to defend them that they quietly remained in the open river. The disaster to their vessels was so sudden that Berkeley, who was probably also deceived, did not have time to come to their rescue.

It happened that there were at this time numerous merchantmen riding in the York. Informed of the catastrophe in the James, Berkeley despatched Thomas Ludwell to the former river to marshal these vessels into a fleet that would be prepared at once to make an attack; but their commanders were found to be opposed to such boldness of action, and Ludwell, in consequence, sent a messenger to Berkeley to come at once to the scene. Berkeley reached the York in a few hours, and vehemently remonstrated with the halting officers, only to have them doggedly reply that, in the absence of the owners' consent, they had no right to risk their ships by venturing out against the enemy. The governor offered to give security for restoration, should loss occur; and this was accepted, and he at once took public possession of nine vessels—which was done by affixing a broad arrow on their

masts. These nine were carefully appraised in value, and the captain of each received a bond that assured him against the damage of a battle. Every sailor who volunteered was promised indemnity should he lose a limb; and he was to be further remunerated by receiving a share of the plunder of the Dutch ships, should they be captured. Four regiments of foot had, by this time, been called out, and all seamen who happened to be lacking in employment were impressed for the naval service. A force of at least one thousand men were thus gathered up, in addition to the crews of all the merchantmen.

On the decks of the vessels that were assigned to the attack, the cannon from all the merchantmen were concentrated. The governor went on board of the flagship, and in doing so was accompanied by four members of his council and also by forty of the foremost gentlemen of Virginia. During three days, the captains of the nine ships impressed gave one excuse after another for not weighing anchor; Berkeley stormed at them in his impatience; but instead of obeying, the recalcitrant skippers endeavored to sap the courage of the soldiers. Before this underhanded course could be balked and the fleet moved, the Dutch men-of-war retired from the James River and sailed out to sea, with thirteen prizes in tow. About seven other merchantmen had been burnt to the water's edge. Berkeley was acutely chagrined by the upshot of the enemy's raid, and it was only the council's earnest opposition to such a step that prevented him from resigning his commission.

The Dutch incursion of 1672 was more destructive than that of 1667, for the hostile ships in the former year were double the hostile ships of 1667 in number. At least three of the vessels of 1672 bristled each with thirty or forty guns, and there were several fire-boats to complete their work of devastation. Watchers were now stationed on the long beach at Cape Henry, and they were the first to report the enemy's approach from the sea. In a short while, the hostile anchors were dropped in Lynnhaven Bay. This was on the twelfth of July. Captains Gardner and Cotterell, of the two guard-

ships, soon detected the presence of the Dutch men-of-war, eight in all, and they sent off an order to the commanders of the largest merchantmen to prepare for action. Just at this moment, the annual tobacco fleet of Maryland was seen coming down the Bay on its way to the Capes, and the imminent peril of its position was at once taken in by Cotterell and Gardner. They recognized that it could only be saved by diverting to themselves the foe's attention. The two guardships, accompanied by six of the Virginian merchantmen, made a dead set towards the Dutch vessels, but before they had sailed far, four of the merchant ships ran upon shoals; the fifth shifted its rudder and turned back; while the sixth went on, only to ground in shallow water in its turn.

But the captains of the guardships refused to slow up—during three hours, they grappled with and fought the enemy's men-of-war; at the end of that time, Captain Cotterell's vessel became temporarily unmanageable; but Captain Gardner continued the battle alone with unabated energy for a period of an hour, and only stopped the firing of his guns when night fell across the waters. His topsail had been shot away and his supply of ball and powder was nearly exhausted. While retiring in Captain Cotterell's company, he was able to bring off all the Maryland fleet except one vessel; and by his resistance he had given such a leading to the Virginia fleet that only a few of its ships fell into the enemy's hands. The Dutch captains, being ignorant of the channel, did not venture to follow their opponents as they retreated into the broad reaches of the Elizabeth and James Rivers, but they despatched three vessels of shallow draught to bring off the merchantmen that had run on bottom in shoaling water before the battle with the guardships began. Only one could be pulled adrift. The rest were set on fire and destroyed.

It was said of this stirring episode that not a single vessel fell into the enemy's hands except the few that had grounded unexpectedly; and of these, not more than two were carried off to sea by the retiring foe.

CHAPTER XXIII

CAUSES OF POPULAR DISCONTENT

The English Government had always resented the fact that the English merchants had been compelled to share the profits from the sale of Virginia tobacco with the Dutch. A large proportion of this commodity had been shipped to Holland in Dutch vessels—a second loss to the English traders; and much of the merchandise imported into the Colony had been brought in in the same vessels from the same country; and this was a third loss. Some attempt to prevent these losses was made in the time of the Parliamentary supremacy by the passage of the first Act of Navigation; but this was not sufficiently drastic in the opinion of the statesmen of the Restoration, and, in 1660, the second Act was passed. No commodities from Virginia were, by its provisions, to be permitted to find their way into an alien market unless they had first gone through an English port; and no articles of merchandise, with a few exceptions, were to be permitted to find their way into Virginia unless their last port of shipment was in the British Islands.¹

The interests of Virginia demanded a free trade with all the world, whether exports or imports; and however advantageous to English merchants the two Acts of Navigation may have been, they were distinctly inimical to the welfare of the colonial planters. In the first place, it was impossible for the English merchants to sell the whole tobacco crops of Virginia and Maryland in England, and this was owing, not only to the volume of these crops, but also to the high price of the leaf in the English market, in consequence of the high

¹These regulations applied to all the colonies.

customs. For many years before the passage of the Acts, the surplus had been disposed of in Holland, where the demand was increased by the low price made possible by the cheaper Dutch freight rates and by the lower customs.

Much of this surplus consisted of varieties that were rejected in the English market. One of the results of the Navigation Acts was to leave on the hands of the Virginian planter a large quantity of tobacco that could no longer be sold, while his tobacco of the best grade, which had brought three pence the pound when disposed of to Dutch traders, brought only half a penny when disposed of to English. During some years, there was no profit to the small planter in such a price after he had paid his taxes; and his condition was made all the worse by the monopoly of the English merchants in the goods which he was compelled to purchase. That condition was often deplorable. Berkeley, during his visit to England, in 1661, boldly condemned the Navigation Acts as destructive of the prosperity of Virginia. "If this were for his Majesty's service," said he, "we should not repine, whatever our sufferings. But, on my soul, it is the contrary for both."

John Bland, in a document that anticipated all those objections to the Acts which led to their repeal in modern times, protested against their retention on the statute book; but his words did not make the smallest impression on Parliament. The Colony in that age was too weak to influence one way or another the policies of the English Government, and the voice of Bland, reasonable and temperate as it was, received no attention and carried no weight whatever. The Virginians turned to collusion with the traders of New England as a means of getting around the Acts; but so soon as the watchdog of the English treasury found this out, Parliament was informed, and a duty of one penny the pound was placed on all tobacco exported from one colony to another.

This continued interference with the freedom of their commerce, led the exasperated Virginians to encourage manu-

facture with a view to dispensing with certain forms of English merchandise altogether. Seductive prizes were offered for the best specimens of linen and woolen cloth turned out by Virginian spinning-wheels and looms. Indeed, the General Assembly were so dead in earnest that, in 1666, they required every county in Virginia to erect a cloth factory; and tanneries were to be established in such numbers that there would be no need of importing leather; and shipyards were to be constructed on such a scale that vessels large enough for ocean traffic could be built on their stocks. Two influences, however, were at work always to thwart the success of every attempt at local manufacture in any form—first, the whole power of the English Government was directed against such manufactures; and second, the economic conditions in Virginia were unfavorable to their prosperity, since even a modest output in the case of any one of them required a band of trained artisans, who were difficult, if not impossible, to get. The absorption in tobacco culture was so universal that men could not be found who would be willing to serve as such artisans, or to permit their sons to be brought up in trades.

The only device left to the planters for the practical reduction of the prices of merchandise was to adopt a cessation of tobacco culture, for this would increase the value of every pound of that commodity, and thus augment its purchasing power as the currency of the country.

One of the principal sources of English revenue was the customs, and the customs remained stable whether tobacco went up or down in price in the English market. To grant the right of cessation to the colonists was to keep a knife always at the throat of this branch of the English revenue. The English Government was never so alive to the best interests of Virginia as to make such a sacrifice of income with cheerfulness; and there were practical reasons to justify that government in what seemed to be a very selfish policy. If the income of the English treasury should dry up in one of its several sources, the deficiency had to be made good by

tapping some other fountain; and the English people were already groaning under such a load of exactions that any further addition to it might lead to rebellion. In the long run, it was argued, it was safer for the people of Virginia to suffer from shortened incomes than for the people of England to suffer from increased taxation.

A petition of the Virginian planters in May, 1662, for a cessation was rejected, although it was supported by the tobacco merchants in the English cities, and was to terminate at the end of twelve months. Two years later, the price of the leaf was lower than ever, and a second petition was submitted; and so moving was the language of this document, that the English Government were led to modify their previous obdurate attitude. The General Assembly were instructed to enter into negotiations with Maryland, not for a complete cessation of tobacco tillage in both colonies for a definite period, but for a material reduction in its extent. The terms agreed upon by the commissioners of the two communities were, however, rejected by the General Assembly of Maryland as unacceptable; and all the influence of that body was used to induce the Privy Council to order an unlimited production of the leaf both north and south of the Potomac River. So deplorable became the condition of the Virginians in consequence of unrestricted production that Berkeley, in his anxiety, visited Maryland to persuade its authorities to co-operate with the authorities of his own colony in a cessation. "Obtain the assent of North Carolina," was their final reply, "and we will join with you;" but taking advantage of some delay on the part of the representatives of that government, Maryland coolly backed out of the proposed concert. Reproached for bad faith, its General Assembly consented to reconsider—only to have a *quietus* put on their action by the veto of Lord Baltimore.

The Virginians were so keenly disappointed by this upshot of their efforts that Berkeley was apprehensive lest they should rise up in a general revolt against the English Gov-

ernment. "Should there be a foreign war," he wrote with perfect sincerity to the Privy Council, "I am convinced that the great body of the people, made desperate by the galling burden of debt which has been heaped upon their backs by the low price of tobacco, could not be relied upon to remain loyal to their English allegiance." The governor had Holland in mind; and had the conditions which he was describing continued acute down to the hour when the Dutch guns roared on the James River, his fears—at least to the extent of lukewarmness on the part of the Virginians in their own defense—might have been realized.

A student of these times is forced to ask the question: In what respect was England then of advantage to the colony of Virginia? The destructive incursions of the Dutch demonstrated that neither the vessels of English traders on water nor the property of the planters on land, were ever really safe from a determined assault by foreign enemies. England closed the door of the alien market and provided no substitute in her own domain. Nor did she have any sympathy with cessation of tobacco culture as a remedy, and only reluctantly permitted that method of bringing about improvement to be used.

But the attitude of the English Government towards the Colony in these several particulars seems hardly culpable as compared with the cool selfishness of Charles's gift of the principality of the Northern Neck to Lord Hopton and his associates, and the cynical callousness of the same monarch in bestowing on Arlington and Culpeper all proprietary rights in the whole of Virginia for a period of thirty-one years. The grant to Hopton diminished the revenues of the colonial treasury by cutting it off from the patent fees to be acquired from that quarter; and it also tended to confuse the titles that had already been obtained to estates in this area. It is said that the people of Virginia contemplated the change proposed in the patent to Culpeper and Arlington with "unspeakable grief and astonishment." Was the royal donor

the man for whom they had stood up so stoutly and so loyally in an hour when he had been abandoned by all his other subjects? The King was fully aware of their fidelity to his cause at the blackest crisis of its history, and yet he did not hesitate to alter the form of the Colony's government without consulting their interests or their wishes, just as if they were so many slaves or children.

The patentees in this monstrous document were empowered to establish new counties and new parishes; to induct clergymen in case of vacancies in old or newly erected pulpits; to fill every important office, from the governorship of the Colony to the county clerkship; to issue patents to the public lands; and to collect the quitrents, fines, and duties. All the functions which had belonged to the crown under royal rule, and many which had belonged to the governor, were gathered up and made over to court favorites, whose worthless characters were sufficiently proved by their intimacy with their profligate sovereign.

This grant was made in 1673. The General Assembly, at a heavy public expense, sent off agents to England to petition for its revocation, and also to obtain a permanent charter in its place. Arlington and Culpeper finally consented to surrender their supposed rights. The other purposes which the commissioners, Smith, Ludwell, and Parke, were expected to accomplish were to secure a guarantee: (1) that no grant to the territory of Virginia should be made thereafter without any hearing beforehand by its people; (2) that no taxation should be imposed in opposition to the General Assembly's wishes; and (3) that the Colony should be dependent directly on the crown. It is probable that the entire appeal of the commissioners would have been successful had not the insurrection of 1676 occurred before it could be acted upon by the English Government. In April of that memorable year, the King had instructed the Lord Chancellor to attach the Great Seal to the new patent of incorporation which had been drafted by the law officers of the crown; but, unfortunately for Vir-

ginia, this consummation was never reached, in consequence of the confusing reports of commotions in the Colony which arrived from Jamestown.²

The unavoidable delay in procuring the desired charter had caused much popular discontent in Virginia, as it was anticipated that the tax which had been imposed to cover the expenses of the three commissioners in England would after all not lead to the wished-for result. A levy by the poll had also been laid to provide the fund for the purchase of the rights under the patent to the Northern Neck; but this burden, as it turned out, was undertaken for nothing, since the region remained under a separate proprietorship down to the Revolution. Berkeley asserted that it was by his personal influence with the people at large that at least two incipient mutinies had been quieted before they could become general. Agitators had gone about whispering in the ears of the dissatisfied citizens that the tobacco had not been levied really for the acquisition of a charter and the revocation of the Hopton and Arlington patents, but simply to put gratuitous sums into the pockets of a few greedy planters.

²The charter subsequently obtained conferred less valuable privileges.

CHAPTER XXIV

CAUSES OF POPULAR DISCONTENT—CONTINUED

The revolt against a heavy tax, because so little was apparently achieved by it, seemed further justified by the various acts to build towns and establish forts which passed the General Assembly. These acts were really suggested by the English Government. Perhaps, no policy was ever pursued by any community, whether involuntarily or on its own motion, which was so hopeless of accomplishment as this policy. Every economic influence of the time and the locality was repugnant to its success. The economic system of Virginia at this period rested broadly upon the fact of the dispersal of the population. In that age, when artificial manures had not yet been devised, fertile lands which had never before been cultivated were required for the production of the highest grade of tobacco; and these lands could only be acquired by suing out new patents, or by extending the tobacco fields into virgin ground belonging to each old plantation. There was no disposition among the inhabitants to live together in villages and to go thence daily to their holdings, lying, perhaps, some distance off. It was the custom for every planter to reside on his own property. Each community was, as a rule, chiefly composed of small estates. Such manufactures as were undertaken were purely domestic, and the artisans were restricted to the slaves and white indentured servants.

Such being the general condition, it followed naturally that there was no influence abroad to build up a number of towns in different parts of the Colony. Jamestown remained in existence so long simply because it was the capital of the country and the centre of its judicial and political business.

In 1662, an act of the Assembly required that thirty-two brick-houses should be erected there at the expense of the counties—an act that imposed an additional tax of thirty pounds of tobacco on each tithable—and yet most of these houses were allowed to sink gradually into ruin long before they could be completed. The same condition befell the public warehouses ordered to be constructed elsewhere.

Nor was there any economic influence to make successful the attempt to establish numerous ports of entry in Virginia, which was tried on more than one occasion. The Colony was interspersed with navigable rivers, large and small, and as most of the plantations fronted on these streams, the merchantmen could load or unload almost at the doors of the private storehouses. Should the water be too shallow for the largest trading vessels to come up to the wharves, there were always shallops to carry the tobacco on board, or to bring off the merchandise that was consigned to individual citizens.

Another cause of popular discontent was the act for the erection of numerous strongholds. The English merchants preferred the construction of a formidable fortification at Point Comfort to the building of a fort at Jamestown many miles above. The channel at the Point was narrow, and it was thought that, should it be closed by stationary guns, the most productive plantations in Virginia would be amply protected. Their opinion prevailed, and the ordnance at Jamestown was laboriously transported to Point Comfort. Seventy thousand pounds of tobacco were expended on the fortification there—only for that fortification to be swept away by the great hurricane of 1677. The five forts erected on the James, Nansemond, York, Rappahannock and Potomac Rivers, at an unreasonable and burdensome expense, were said, by 1672, to possess no more resistive strength than so many embankments of mud. The one constructed on the Nansemond alone was of service in the later wars with the Dutch.

Berkeley, who, in spite of his infirmities of character, had

been a valuable public servant during the first years of his administration, assumed more and more a reactionary attitude under the influences of the Restoration. We have seen how bravely he led during the Indian and Dutch wars; how active he was in promoting a cessation of tobacco culture when this step became desirable; how outspoken even in England in opposition to the Navigation measure; how encouraging to domestic manufacture in times of poverty—in short, how energetic and faithful he was in protecting the varied interests of the people. But he was now to express sentiments hostile to education that cast only discredit on his memory. No words uttered by him have been so often quoted as his comment on the supposed absence of free schools in Virginia—a statement without any warrant in fact whatever, as we will show later on—and his foolish reflection on the influence of learning. “Learning,” he said, “had brought disobedience and heresy into the world.”

Berkeley cannot be condemned all by himself for mere detestation of the dissenters, for this attitude on his part towards them was only in harmony with the intolerant spirit of that age; but there can be no doubt that he was the real author of all the harsh and unreasonable measures which were directed against their freedom of worship in Virginia. One law provided that every Quaker disembarking at any landing in the Colony should be clapped in jail and exported in the ship that brought him in; another sentenced all female Quaker preachers to the whipping post; and a third (in 1675) suppressed all Quaker conventicles. The only justification that could be offered for this policy of oppression was that the members of the sect refused to take up arms in the Colony's defense; and that they were in the habit of holding secret meetings, which seemed to wink at conspiracy.

The hand of tyranny fell almost as heavily on the backs of the Puritans. Berkeley probably loathed them as acutely as he did the Quakers; but they do not appear to have found the same nourishment in his persecutions. A large body emi-

grated to Maryland as a land where they were not likely to be pursued with the same acrimony.

But the arbitrary spirit of the governor was even more perceptible in his political course after the Restoration. In retaining the same members of the Assembly during so long a period without testing popular opinion by the usual number of elections, he was undoubtedly running contrary to the wishes of the people at large. Apparently, between 1660 and 1676, there were only two general elections for the House of Burgesses—probably there was only one, and this in 1661, at the beginning of this long interval. Had not the insurrection of 1676 occurred, there is reason to think that the Assembly would not have been dissolved at all until Berkeley had permanently withdrawn to England.

Why did he so persistently ignore the custom of the country in filling only vacant seats in the House? He may have been honest in thinking that the longer a man remained in office, the more useful he became by his growth in experience. Could it be denied too, as he himself asserted, that the abolition of popular elections put an end to one of the chief occasions of demagogic agitation? These were self-evident truths that the people probably did not relish with as much keenness as Berkeley did.

The members of the Assembly who held power for so protracted a period had been chosen at the height of the reactionary influences of the Restoration. Only eight of those present during the session of 1659-60 were also present during the session of 1662, and only five of these, after that year, remained in this body. It was from the start a collection of men who were in close sympathy with Berkeley; and they grew more subservient to him the longer he put off the dissolution of the Assembly. "The sole author of the most substantial part of the government," said Thomas Ludwell, his faithful supporter, "whether for laws or for other inferior institutes, is the governor." A similar Parliament was sitting in England throughout this interval without any

general election, and it is possible that Berkeley looked upon this precedent as all the justification that he needed for his own policy. Vestrymen, commissioners of the county courts, and sheriffs everywhere, were under his thumb; and as there was also no longer any general summons for burgesses, he had no reason to fear any organized popular opposition to his wishes at the polls. His will was law to the members of his own council, as their appointment had been made by him, and they could only expect further honors and profits at his hand, if they continued obedient. To him alone could all ambitious men turn for their own advancement in the service of the State.

The people at large had no influence in their local government, or in the government at Jamestown. They had no voice in the local tax levy, and practically none in the central. "We find ourselves," said the spokesman of Stafford County in 1677, "very much oppressed through these annual Assemblies. By triennial sessions and new elections, our burden might be lessened and good laws furnished." The same pathetic echo rings through the grievances of the other counties. Doubtless, taxes were imposed for special purposes that were proper enough—such, for instance, as the public levy for the support of the commissioners of 1676 in England, or for the purchase of the proprietary rights in the Northern Neck; but there were other levies—such as the increases in the salaries of the burgesses and subordinate officers—that must have left an impression of callous extravagance on the public mind.

Formerly, the list of the burgess' expenses was passed upon by the court of his county. Now these expenses were fixed by the Assembly at a definite sum; and this sum could be always added to by that body whenever a sense of greediness should overtake it. The levy of Lancaster County in 1673 shows how heavy was the burden of these expenses, which always included, besides the salary, allowances for one servant and two horses throughout the session—it amounted

to two hundred and thirty-four pounds of tobacco *per diem*, which was equivalent to twenty-five dollars in our modern values. In 1673, the same county was represented by two burgesses, and their combined expenses amounted to twelve thousand pounds of tobacco for the entire session. In Lower Norfolk, the expenses amounted to ten thousand, seven hundred pounds of tobacco. It is reasonable to suppose that the outlay on the same score did not fall below these sums in the levies of the other counties.

In spite of their restiveness under these deprivations and impositions, there was not at once among any large section of the community a disposition to rise up and redress their wrongs by force. Sensible men were sure that such an attempt, however justifiable according to our modern convictions, would not have the support of any portion of the English people. The Virginians had shown their estimate of the power of the mother country in 1651 when they submitted with dignity to the Parliamentary fleet. The passage of the second Act of Navigation, which destroyed their freedom of trade and raised the prices of their imported merchandise; the discouragement of domestic manufactures by the English Government when it seemed to the colonists to be their only means of warding off ruin; the refusal of that Government to coerce Maryland into a cessation of tobacco culture, when such cessation could alone advance the price of their only staple crop; the grant of the entire area of Virginia to a coterie of court favorites without consulting the wishes of the people, or considering the confusion that would follow—not one of these events, not all of them combined, opposed as they were to popular peace separately or as a whole, would in the end have exercised an explosive influence on the public mind had not more personal events arisen to give them a deeper significance. It is true that there was a small mutiny in 1674, which was suppressed without serious difficulty; and there was also a lurking fear of an uprising during the Dutch invasion at an earlier day. But it was the existence of this

feeling of discontent, springing from all those courses which we have mentioned, that made the great Rebellion led by Nathaniel Bacon, a possibility; and it was an Indian invasion that set the match to the highly combustible materials for that violent outburst in this remote colony oversea.

CHAPTER XXV

THE REBELLION OF 1676

It was a very natural impulse that moved the colonist to look upon an Indian incursion with extraordinary horror, for, in all recorded history, there has, perhaps, never been a foe who carried on hostilities in a spirit of greater ferocity than the American aboriginal savage. The atrocities committed by him were committed in a manner so original and so peculiar as to impart, if possible, a more aggravated cruelty to them. It was not merely that he slew his enemy, however innocent or helpless, in the spirit of an inhuman ogre, but the prolonged tortures, suggested by a diabolical ingenuity, which he loved to inflict, and the glee with which he gloated over his victim's agony—all gave to a war with his race the blackest aspect assumable by war. It was a war in which no mercy was asked or granted; a war softened by no touch of amenity even at long intervals; a war in which women and children ran the same risk of destruction as the fighting man, and in a manner equally revolting and pitiless. The feeling of horror was made more intense by the noiselessness with which the Indians moved, the ease with which they hid their tracks, the suddenness with which they appeared at unexpected points.

The wildness of the individual's physical aspect also added to this horror—his naked and painted skin; his sinewy frame as lithe and active as that of a panther or wild cat; his hawklike eye; his scream of triumph, which curdled the blood far more than the cry of some fierce wild animal at midnight. The very image of the terrible creature stamped itself upon the imagination like some figure conjured up from the region of devils, the very consummation of all that the world had to offer of cruelty

the most atrocious, and of blood thirstiness the most appalling and unquenchable.

The rebellion of 1676 started on the frontiers.² It had its immediate origin in an act of Indian aggression on the borders of the Colony, and thence spread to every part of it, with the exception of the Eastern Shore. Down to the month of July in 1675, the peace between the two races had been preserved without serious friction. If there had been any depredation, it had been committed by the whites, but in such a small way as to cause no permanent resentment. In 1675, the Susquehannocks had been driven into Maryland by the Senecas, and in the summer of this year, accompanied by the Doegs, they crossed the Potomac and drove off numerous hogs belonging to one of the planters. It was claimed by these Indians that this was done in retaliation for some hostile act on his part. They were pursued, overtaken, and some of them killed, while the hogs were recaptured and returned to their owner.

When the tribes to which these Indians belonged heard of this attack, they determined to revenge themselves on Matthews, the man who had been robbed by the original marauders. A band of warriors stealthily passed over the Potomac, tomahawked two of Matthews's servants, and then vanished in the darkness of the woods. Coming back again, with the same furtiveness, they scalped Matthews's son, and again fled into the forest fastnesses; but the hue and cry was at once raised, and Colonel George Mason and Major George Brent, with a company of hardy frontiersmen, started upon their trail. Brent pursued the Doegs and Mason the Susquehannocks. Brent, running upon a house in the underbrush which the Doegs used as a place of rendezvous, led his rangers

²We have relied for the facts of the great rebellion chiefly on the narrative of the English commissioners, who had no reason to be prejudiced in favor of Bacon and his followers. They expressly stated that their account was based upon an impartial hearing of all sides of the controversy, and a careful examination of all documents relating to the course of civil and military events.

in a determined assault upon it, killed the chief and ten of his warriors, and scattered the rest in flight. Mason, on his side, attacked the camp of the Susquehannocks and shot down fourteen of its defenders.

The Governor of Maryland, either convinced that these particular Indians were innocent of offense, or revolted by the severity of the retaliation, sent a letter of remonstrance to Berkeley; but he afterwards co-operated with the Virginian troops in an excursion against the members of these tribes. Anticipating an onset in force, the latter had erected a fort north of the Potomac at a spot flanked by tangled swamps; and here they soon found themselves surrounded by one thousand besiegers, who included many of the Indian allies of the English, eager to satiate their hatred of their swarthy hereditary foes. Formidable as these seasoned troops were, it was not until the end of the seventh week that they broke into the rude fortification, and only after fifty of their own ranks had perished and most of their horses had been captured by the savages and devoured behind the grim palisade. Four emissaries had been sent to the besiegers with white flags asking for a parley. The only reply was to murder them in cold blood. Concluding that no peace would be made with them, the Indians, accompanied by their wives and children, and carrying off all their portable goods, abandoned their fort under the cover of night and escaped into the swamps.

This siege was not followed up by an active campaign. Indeed, the Governor of Maryland very soon entered into a treaty of amity with the Indians, while the Virginians themselves appeared simply to hold their arms in rest. But if the episode was put on one side by them, it was not forgotten by the Susquehannocks, who, in January, 1675-76, determined to retaliate. During the coldest part of that month, they crossed the Potomac at a point situated near the upmost of the English frontier settlements, and after slaying many persons of the unfortunate planters' families, stole southward to the banks of the lower Rappahannock, and there repeated

the outrages. Having put to the tomahawk not less than thirty of the colonists, they dispersed in the vast wilderness of woods.

When news of this bloody irruption was brought to Jamestown, Berkeley commissioned Sir Henry Chicheley to go in pursuit of the marauders with a large force of horsemen and footmen, but before the necessary preparations for the excursion could be completed by the eager and indignant soldiers, the governor canceled the commission and ordered the troops to be disbanded. His feeble excuse for this vacillating conduct was that the next General Assembly was the proper body to decide upon the course that should be taken to punish the Indians. In the interval of several months to elapse before the Assembly could convene, the planters along the northern frontier were to be left without the protection of a single soldier or ranger. Most of them, justly alarmed for the safety of their families, deserted their homes as if lying under a plague and fled through the woods at night to the older settlements. In the course of twenty-five days following January 24, only eleven plantations in the single parish of Sittingbourne on the Rappahannock River, which contained over seventy in all, was still occupied by their owners. The same story of abandonment was to be told of the whole of the contiguous region; and yet, in spite of this precaution on the part of the great majority of its residents, three hundred people at least had been shot or tomahawked to death in those infested parts before the Assembly came together in the spring. Few of these valuable lives would have been lost had Chicheley been permitted to march to the frontiers to overawe the stealthy savages, who continued to lurk there throughout the winter.

What substitute for this bold policy was proposed by the General Assembly when it did meet to devise a scheme? This alone—the erection of a fort at the head of each of the great rivers. Public opinion condemned this method of thwarting the Indians, on the ground that the interval between the fortifications was so great and so heavily wooded that the sly

warriors would have no difficulty in creeping within the girdle, and repeating their murders, and then escaping to the forests back of it. Hampered as the garrisons would be by the vast forest spaces, they would be further crippled by the Assembly's command that no attack was to be made without specific orders from Jamestown.

The forts were built, the garrisons were established, and the popular prediction was soon proven to be exactly correct. The people, groaning under the heavy taxation which the erection of these forts and the support of their garrisons imposed on them, watched with an ever growing dismay and exasperation, the murders, burnings, and robberies that followed in rapid succession. Naturally, this feeling was strongest among those who were most exposed to danger. These denounced the taxation for the worthless fortifications as a mere device of the councillors and other wealthy men to gather in the profits to be obtained from supplying the materials for their construction. They petitioned the governor to issue a commission to some competent person to lead them against the barbarous enemy; but so far from sympathizing with this just request, he, by proclamation, ordered that no such demand should again be made to him. This heartless manifesto fell upon desperate ears. Word passed from mouth to mouth that Berkeley and his friends were too deep in the Indian trade ever to consent to its destruction by war. It is true that he had announced that this trade would be suspended, but it was well known that he had privately given permission to some of his friends to continue their exchanges with the Indians on the frontier; and it was whispered that these men had sold to the savages the very guns and shot which had been sent out from England to defend the outlying plantations, now so little protected.

A report soon spread that the Indians, fully armed, were descending in a large body upon the inner group of settlements, and the people of Charles City, a county situated not far from Jamestown, urgently petitioned Berkeley to adopt

the necessary military measures to halt their advance. He positively refused to listen to this request; nor did he pay any attention whatever to the remonstrance which his obstinacy caused.

Why should he have acted in this manner when he was fully aware that the savages were murdering the colonists and their families in all the northern frontier communities? It was this man who had stoutly fought Opechancanough to a finish in the War of 1644; and, at a later period, it was this man also who had boldly confronted the invading Dutchmen. The suspicion that he derived a personal profit from the Indian trade, and, therefore, did not wish it to be broken up by hostilities, was inconsistent with the reputation for pecuniary disinterestedness which he had previously enjoyed. There were episodes in the insurrection of 1676 in which Berkeley's attitude seemed to be that of an opinionated fool, who resented any form of insubordination to his perverted will; and it is possible that, at this initial hour, when good judgment and temperate conduct would have smoothed down the rising difficulties, some such notion as that the people had no right to take action first, and, that, being the people, they were incapable of wise conclusions, got possession of his mulish mind, and made him determined to have his own way. He was an old man, and since the Restoration, he had been accustomed to such submissiveness on the part of the leading citizens, and he had grown to be so callous to the sentiments of the common people, that opposition to his will aroused his vehement anger, and wholly chilled his sense of fairness and discretion.

If Berkeley was really under the impression at the start that the alarm and agitation would subside at his official bidding, he soon found out his error. Perceiving that no aid was to be expected from him in the existing emergency, the planters towards the northern frontiers began to organize volunteer bands that would be ready to march against the Indians just as soon as a competent leader could be discovered. The

English commissioners described these bands as "rabble," and Secretary Ludwell referred to them contemptuously as "the scum" of the community. In a strict sense, this was true, but there must have been many men of position in the outlying counties who understood and sympathized with the perfectly natural feeling of the so-called mob, whose only aim was to defend their families from the merciless savages. They may have been too discreet to join in such a movement in opposition to Berkeley's passionate attitude, but they were clearly aware that their own welfare was deeply involved in the success of the proposed resistance.

It was not long before this "rabble," this "scum," this "mob," found a leader who was worthy of the greatest of all causes,—the cause of a people who are prepared to run any risk for the preservation of their rights and their lives. This was Nathaniel Bacon, the younger, a cousin of the President of the Council of the same name, and a kinsman of the famous philosopher and statesman, Francis Bacon. He held the diploma of a master of arts of Cambridge, and, as a young man, had traveled widely in Europe. After a course in law at Gray's Inn, he had emigrated with his wife to Virginia; had acquired plantations at Curles Neck and near the falls in the James; and although not far beyond his majority, had been appointed to a seat in the council. He was, in 1676, only twenty-nine years of age, tall but slender in figure and with hair noticeable for its raven blackness. His general aspect was distinctly suggestive of the young Napoleon. Thus he is said to have had an ominous, pensive and melancholy look. His temper also was imperious. Although not inclined to talk freely or to make quick replies, he was, as occasion demanded, capable of discourse at once logical and persuasive. His enemies described him as a man of "pestilential" opinions in politics and religion, when, in reality, he was perhaps only liberal in his views on both subjects. He was certainly opposed to long assemblies, to oppressive taxation, and to indifference to the popular wishes; and he was always so ready to uphold

his own convictions with firmness, and was so little overawed by age and supposed wisdom in others, that he was charged by those who disliked him with arrogance. This self-sufficiency and independence of spirit caused him in the retrospect to be characterized by the English Commissioners as a "dangerous man;" but this impression of theirs was derived only from their knowledge of his part in the rebellion.

Bacon had personal reason for hating the Indians, for they had butchered one of his overseers. "If the Redskins meddle with me," he exclaimed impetuously, "damn my blood, but I will harry them, commission or no commission." The Susquehannocks had set up a camp in the region west of the falls, and from this place they fell upon the outlying settlements with tomahawk, scalping-knife, and torch. Thoroughly aroused by this bloody course, Bacon was easily persuaded to cross the river and visit the volunteer companies which had been drawn together to retaliate on the savages. One of their number, Crews by name, had prepared the troops for his coming, and when he appeared, they cried out with one voice, "A Bacon, a Bacon." The enthusiasm and unanimity of the call proved quickly irresistible. He addressed them in an eloquent speech, in which he accused Berkeley of negligence, incapacity, and wickedness; denounced the oppressive taxation; and declared that he would lead them against the enemy and assist them in reforming the grinding laws. They in reply drank "damnation to their souls" should they be unfaithful to him; and they took the oath to be obedient to all his commands.

From this hour, Bacon was always hailed by his supporters as the Darling of the People, and he deserved that endearing title, for while his conduct at times may have been rash and intemperate, his lofty purpose, and the sacrifice of fortune and life which he made for it, lift him to the height of a great patriot and hero. He wrote to a friend that the welfare of the Virginians at large had been subordinated to sordid gain by a few men in the Colony, and that he was determined to stand in the gap, no matter what consequences should follow.

Before leaving the camp of the volunteers, he sent word to Berkeley that he was planning to lead an expedition against the Indians,—with the governor's commission if he could obtain it, but without it, if he could not. In a short time, he visited the county of New Kent, where he was received with a tumult of approval. His object in coming appeared to be to make an attack on the Pamunkey tribe, which had committed numerous murders and robberies. Berkeley, who thought that this tribe was still trustworthy enough to continue to form a bulwark against the Susquehannocks, refused to give him the commission requested, and ordered him and his soldiers to return to their homes. Again Bacon replied that he would fight without a commission if driven to do so; and that, if he and his followers had to choose between being denounced as traitors or being murdered by the savages, they would prefer the former evil. Berkeley, who had despatched Claiborne with a force in pursuit of the Pamunkeys for the single purpose of standing in Bacon's way, now issued a proclamation offering pardon to all Bacon's active partisans, but suspending Bacon himself from his seat in the council. The only result was to make Bacon's followers and sympathizers throughout the Colony more resolute; and Berkeley, brave and obstinate as he was, was so overawed by the feeling aroused that he announced his intention of calling a new Assembly and complying with the demand for general reforms.

In the meanwhile, Bacon had not stopped to await the full pressure of popular opinion on the governor's mind, but putting himself at the head of a large force at the falls in the Powhatan, had set out through the silent woods for the forks of the Roanoke towards the southwest, in order to attack the fort which the Susquehannocks had erected there after their flight from the North. This region belonged to the Occaneechees, who had never yet broken the peace with the English. Their principal town was situated on a great island in the Roanoke at the juncture of its two principal tributaries, the modern Dan and Staunton.

After enduring almost the pangs of starvation in their long march through the trackless wilderness, Bacon and his soldiers reached a point opposite the island, and they quickly ferried over and occupied a strong position on it. In an interview with the King of the Occaneechees, Bacon learned that he suspected the Susquehannocks, in spite of their friendly reception by him, of an intention to make a sudden attack on his town, with its several forts, and if successful, convert it into their own citadel. These strangers had been weakened by the presence among them of warriors belonging to tribes which they had conquered, and the King of the Occaneechees, with Bacon's connivance, took advantage of this fact to throw his entire force against their stronghold. The attack was triumphant, and the enemy were either captured or dispersed.

The attitude of the Occaneechees towards the English now changed,—they refused to supply them with food, and also posted men along the river bank to bar their withdrawal from the island. The King, with most of his subjects, retired into the forts, which had been hastily strengthened to resist an assault. At this menacing hour, one of Bacon's soldiers was shot down from the further bank of the river by an Indian rifle. Not a moment was lost by the English. At the word from their leader, they fired their guns against the forts, and in spite of the hot return from the holes in the logs, several of the soldiers rushed up and applied the torch to the inflammable material of the King's retreat, which was soon consumed, along with the lives of many of the defenders. The Indians in the other forts sallied out, and hiding themselves behind the trees, endeavored to pick off the exposed soldiers. A running fight followed, and this did not come to an end until night had fallen. In vain the warriors had tried to throw a cordon around the English. In every instance it was frustrated. Discouraged, the survivors, with the King at their head, deserted the island under cover of darkness; and the next morning, finding his way across the river clear, Bacon and his men set out on the homeward march.

CHAPTER XXVI

THE REBELLION OF 1676—CONTINUED

After Bacon's arrival at the Falls, news of the success of his excursion against the Occaneechees spread all over the Colony. All freemen, whether householders or not, were permitted to cast their ballots in the election for the new Assembly; the demand for reform was now general; and many candidates who approved of Bacon's course were elected,—among them, several whose indentures as servants had only recently expired. Bacon himself was chosen a member, and fearing arrest at Berkeley's order, should he enter Jamestown unprotected, he went thither with a strong and faithful body-guard. He and his escort made the journey in a sloop. When Swann's Point was reached, he sent a messenger ahead to obtain a pledge of safety on his arrival in town. The reply was a shot directed straight at the sloop from the fort, and Bacon was compelled to raise anchor hastily and retire out of range of the balls. When night came on, he entered a boat and was rowed to town to hold a consultation with Lawrence and Drummond, two of his most trusted supporters. As he was leaving the wharf on his return, his presence was discovered, and he was pursued by Berkeley's spies all the way back to the ship. The following morning, Captain Gardner, under instructions from the enraged governor, moved up in a large vessel to where the sloop was riding, and compelled Bacon and his companions to surrender.

When Berkeley received Bacon in the council chamber, he raised his hands and eyes to Heaven. "Behold," he exclaimed, "the greatest rebel that ever was in Virginia." Bacon made no reply. He stood in silent dejection. After a short pause,

his adversary asked, "Are you still a gentleman? May I take your word? If so, you are at liberty on your own parole." According to the report at the time, Bacon confessed his error, implored pardon for it, and on bended knee, offered a paper to the governor in which he had promised full submission in the future. He then withdrew. Within a short time, he was called back into the council chamber and informed that he could again occupy his old seat at the board.

The tables were now turned on Captain Gardner. Although he had been only acting on the governor's positive orders, he was mulcted seventy pounds sterling for seizing the sloop,—possibly because, being deserted after the capture, it had gone on shore in a storm and been completely wrecked. As he was unable to pay so large a fine, he was thrown into the common jail at Jamestown,—a very poor reward for his promptness and fidelity.

It was now falsely reported in all parts of the Colony that Bacon had obtained the commission so long desired, and when they heard this the discontent of the people subsided. Had he been less impulsive, he would have remained quietly at Jamestown until this document had been received; but it was whispered into his ear by some malign friend that a conspiracy had been hatched to murder him; and that the night for the committal of this foul act had been actual chosen. These statements very probably had their origin with persons who thought that it was to the country's interest that the breach between Bacon and Berkeley should be reopened. In the opinion of these persons, it was only by violence that the reforms so urgently needed could be secured. No improvement, they believed, was to be expected, should the two be reconciled, simply because, in that case, Berkeley would revert to his former habit of neglect.

When, on his arrival at his home, Bacon informed his neighbors that no commission had been delivered to him, they broke into wild oaths and curses. "We will have a commission for Bacon," they cried fiercely, "or we will pull down the town or

do worse." The General Assembly was still in session, and he decided to go to it in person, accompanied by the mob of supporters of the lower class who were now swarming around him. His leadership had, by this time, discarded all semblance of respect for peaceful methods. So soon as he halted in Jamestown, he posted his sentinels at every corner and threw out a screen of scouts. He then marshaled an imposing file of soldiers opposite the door of the State-house, and sent a messenger to the General Assembly to announce that he had come to procure a commission to fight the Indians, who were still committing outrages on the border. Berkeley stalked out of the building and confronted Bacon,—who was standing in front of his troops,—stormed at him as a rebel and traitor, and positively declined to give the commission demanded. Impatiently uncovering his breast, the old man cried out, "'Fore God, shoot, Sir;" but as no gun was lifted, he drew his sword and offered to settle the differences between them by the arbitrament of a duel.

Bacon at first behaved with more dignity and self-restraint than the angry governor. He kept his temper throughout this melodramatic action. "Sir," he answered quietly, "I come not nor intend to hurt a hair of your Honor's head, and for your sword, your Honor may please to put it up. It shall rust in the scabbard before I shall desire to draw it. I come for a commission against the heathen, who daily inhumanly murder us and spill our brethren's blood, and no steps taken to prevent it." Then his mood, inflamed to a passion by his own words recalling these outrages, found voice in more violent language. "God damn my blood," he exclaimed, "I came for a commission, and a commission I will have before I go." He turned abruptly to his soldiers. "Make ready," he called out, "prime your guns." And this was instantly done.

During the interview between Bacon and Berkeley, the burgesses had been looking on in a crowd from the windows. When they saw the muzzles of the guns pointed straight at them, some fled, while others shouted at the top of their voices,

“For God’s sake, hold your hands, and forbear a little, and you shall have whatever you please.” Hastening down to Berkeley, they implored him to grant the commission. Reluctantly, he yielded. The commission was hurriedly drafted, and taken to Bacon, who, after reading it with care, rejected the document as inadequate. “Draw up one yourself,” the burgesses exclaimed, “and the governor will sign it.” Bacon then drafted a commission authorizing him to carry out all the purposes which he had in view; and this he sent to the clerk of the House to be copied. The document was soon put in shape, and the governor, no doubt, with keen chagrin, attached his signature to it. But Bacon was not yet satisfied. He insisted that at least thirty other commissions should be granted to his subordinates. Berkeley seems to have consented to sign these also, but when still additional ones were demanded, he replied in a surly spirit, “If you wish for more, sign the rest yourself.”

Whether members of the General Assembly were influenced by apprehension for their own skins, or by public spirit, they ordered a levy of one thousand men, who were to accompany Bacon in his projected excursions against the Indians; and they adopted the necessary measures to provide him with all the ammunition and food which he would need. They did not stop with these acts. They formally relieved him and his lieutenants of all charge of disloyalty, and united with the governor in a letter to the Privy Council applauding his conduct and affirming its legality. Several members of the Council in Virginia,—among them Thomas Ballard,—came forward to assist him, and even took the oath of fidelity to his person, which he required of all his followers. Liberal laws were soon passed by the General Assembly at one of the most memorable sessions in colonial history. The councillors,—who had been exempt hitherto,—were, in the future, to be taxed like the rest of the citizens; the property test for all voters was to be abolished; the people were to elect their own representatives to

sit in the county courts; and the number of officeholders was to be reduced.

But to return to the personal career of Bacon. The masses of people, informed of the commissions obtained by him, had no reason to question their validity. In joining the ranks under his military command, they were convinced that they were fulfilling their duty to themselves, their families, and the government at Jamestown. Bacon, having received all the supplies which the Assembly had promised, sent a message throughout the Colony that the rendezvous for volunteers was to be at the Falls in the James; and to the little army that soon gathered there, in response to this call, he delivered an eloquent speech, in which he emphasized his loyalty to the King, and swore that his only design was to protect his countrymen. The oath of allegiance and supremacy was submitted to every soldier present, and afterwards the oath of obedience to himself.

While thus patriotically and unselfishly employed, palpably with no other purpose but to rid the harried frontiers of the murderous Indian tomahawk, and when that had been accomplished, to reform the legal and political administration of the Colony, the news reached him that Berkeley was going up and down Gloucester County feverishly engaged in levying troops to be used for his overthrow. The anarchy and bloodshed which followed are solely attributable to the revengeful spirit of this one man; and from that moment until his ignominious departure from Virginia, he becomes a malignant creature,—a creature, who, rejecting all the suggestions of a discreet and conciliatory spirit, allowed himself to be swayed by a preposterous conception of his rights as governor, and by a passion of resentment that was like the irresponsible emotions of insanity.

Bacon ordered the drums to be beaten and the trumpets to be blown to summon his soldiers to his presence, and as they massed themselves in front of him, he burst out in an indignant speech, "It is revenge," he exclaimed, "which hurries

this man and his followers on. They have no solicitude for the people's safety, and would rather prefer that we should be murdered, and our ghosts sent to our slaughtered countrymen by their acts, than that we should live to hinder them their interest with the heathen and preserve the remaining parts of our fellow-subjects from the heathen's cruelties. They have forced us to turn our swords to our own defense. If we do not do so, then we shall be either exposed to their mercies (Berkeley and his supporters) or compelled to find refuge in the unexplored woods at the very moment the country is soaked in blood and wasting like a candle at both ends. Why should these men seek to destroy us who have been raised up to defend them and to preserve them from the furious onslaughts of the heathen? If ever such treachery was heard of, such inhumanity, we call all the former ages to witness."

Then, as in all Bacon's popular harangues, his own burning words seemed to whip his indignation into a still sterner mood. "But," he cried out, "they are all damned cowards, and you will see that they dare not meet us in the field to try the justice of our cause, and so we will march down to them." A shout of "amen, amen" greeted these last vehement words. "We are all ready," the soldiers exclaimed, "and would rather die in the field than be hanged like rogues or perish in the woods exposed to the tomahawks of the merciless Indians."

Berkeley too had been trying to enroll troops to lead against the savages,—absolute proof to the minds of Bacon's followers of the perfect propriety of their leader's projected expedition,—but in vain. The people were quick to volunteer under Bacon, but not under his antagonist, in whose sincerity of purpose in such a campaign no public confidence was felt. So disheartened, indeed, was Berkeley by the deaf ear turned to his call for recruits that he, on one occasion, fainted in the saddle. He must have met hostile words and menacing looks in his canvass, for although his bravery was beyond dispute, he left the mainland and took refuge on the Eastern Shore, which remained loyal to his person.

Why had not the people of that region become disaffected also? Certainly the Navigation Acts, the royal grant to favorites, the oppressive taxation, and the other damaging measures, had touched their interests as injuriously as those measures had touched the interests of the people of the Western Shore; and yet they seem to have felt no grudge against Berkeley, and no resentment against the Long Assembly. And why? Simply because, unlike the inhabitants of the country along the upper waters of the James, York, Rappahannock, and Potomac, they had never been awakened in the night by the blood-curdling war-cry of the Indians, or wept over the mutilated bodies of their slain kinsmen. Their perfect quietude in the storm that had already broken out when Berkeley appeared in their midst, is the best of proofs that, without the provocation of the murders and burnings by the savages, the people of the Colony at large would have patiently endured all the other causes of dissatisfaction. In other words, the immediate origin of the rebellion was Berkeley's obstinate refusal to adopt or approve a vigorous policy for the punishment of the Indian marauders.

Jamestown, abandoned by the governor, was soon occupied by Bacon at the head of his soldiers; but he did not dally there many days. First, he marched into Gloucester, where he was received with acclamations, and afterwards turned about to Middle Plantation, the site of the future Williamsburg. In a proclamation which he issued there, he invited the gentlemen of Virginia, who had, in a spirit of cold discretion, been standing aloof, to co-operate with him in restoring order, suppressing the Indians, and reforming abuses. It was clearly perceived by the members of this intelligent class, apart from their social distaste for Bacon's personal following, that the violent methods used by him could not in the end prevail against the English Government, which was certain ultimately to come to Berkeley's assistance. A rebel's success could only be temporary.

About sixty-nine citizens of wealth and prominence,

however, did accept Bacon's invitation, which, in itself, was a perfectly sincere and patriotic overture for support. It was hoped by these men that the discussion at the meeting would lead up to a reconciliation with Berkeley, and the pacification of the excited people; but they must have received a shock when they found the key of the door turned on them as soon as they assembled, and a paper presented for their signatures which would place them in open hostility to the fugitive governor, should they sign it. The main points of this document were as follows: Berkeley and the members of his council had infringed the laws of England in their actions. Bacon had conformed to those laws. The commission obtained by the latter was a valid one. Every word heard in disparagement of his conduct in the present crisis was to be reported to him for punishment. No part of his secret plans disclosed to anyone by him was to be divulged.

The minuteness of some of these injunctions, and the more or less inquisitorial character of them all, would indicate that Bacon was uncertain of his position, and was seeking to strengthen it. He was not satisfied to secure a pledge of fidelity from the persons in the assemblage, many of whom were extremely reluctant to give it,—but he sent a copy of the oath to every magistrate in reach, with orders to require the people in a body to take it. This seems to have been done almost universally,—by most of them because they were in sympathy with his purposes; by others, because they were afraid to run athwart his commands.

Bacon now signed all his proclamations with the words, "General by Consent of the People" attached to his signature. Having obtained at Middle Plantation the co-operation of four members of the council, he persuaded them without difficulty to join him,—also a councillor,—in issuing a summons for a new General Assembly, which should convene on the fourth of September at Jamestown. There was after this but one event called for to crown his success,—the apprehension of Berkeley. Bacon now acted with characteristic promptness and audac-

ity,—he seized the guardship. This vessel carried a complement of two hundred sailors, and numerous cannon, and was commanded by Captain Larramore. He hoped by means of the man-of-war to overawe the people of the Eastern Shore to the point of surrendering the governor, but it is quite probable that the latter, rather than give himself up, would have taken refuge in Maryland. Unfortunately for Bacon's cause, the two persons put in charge of the ship, Carver and Bland, were lacking in discretion and foresight. Their first and gravest mistake was to retain on board the sailors who had been serving under Larramore, and even Larramore himself, although the hostility to themselves of captain and crew was known to all.

CHAPTER XXVII

THE REBELLION OF 1676—CONTINUED

While Carver and Bland are preparing for their fatal expedition, we will turn to the history of the excursion which Bacon now undertook against the Indians. His own prudence was illustrated in the fact that he compelled every associate whose loyalty to himself he distrusted to accompany him into the woods. He decided to attack the Pamunkeys first, although that tribe had, for many years, been a bulwark against the marauders from the north; but in recent months, its fidelity had fallen under grave suspicion. He was joined at his old camp at the Falls by Colonel Brent, who had come down from the region of the Potomac and Rappahannock with a large band of volunteers, and together they set out through the forests for the valleys of the modern Mattaponi and Pamunkey.

A heavy and protracted rain came on and stopped the advance, and the discomfort resulting caused so much discontent among the soldiers that Bacon thought it necessary to revive their ardor with a speech. In its course, he admitted that there was danger that the provisions, owing to the unexpected delay, might soon run short, "but," said he, "if there is any one among you who subordinates the suppression of the heathen and revenge for the murder of our friends to a particular regard and care for his belly, then let him depart for home." "Begone," he cried out scornfully to three men who left the ranks, "begone." "I am sure," he said to those who remained, "that, when there shall be occasion for a fight, I would find such men as those the worst of cowards, serving for plunder and not for service, and (by sharing the food)

starving my best men who would bear the brunt of it, and disheartening the others of half metal from freely engaging."

The rain holding up, the march was resumed, with the Indian scouts scouring the woods ahead. Very soon the sound of the latter's guns were heard, and when the soldiers had quickly made their way to the spot, they saw an Indian fort, from which the inhabitants had fled to seek first protection in a neighboring swamp,—only afterwards to emerge and scatter in the woods on the further side. An old squaw was captured, and she was forced to act as a guide for the soldiers, but as it was discovered after a day's wandering that she was intentionally misleading them, in her fidelity to her own people, they knocked her on the head and left her dead on the trail. Returning through the recesses of the thick forest, they ran unexpectedly on the Indian encampment, and falling upon it, slew or captured a large number of the savages before they could escape.

In spite of this success, the discontent which had prevailed among the troops was revived by the increasing shortness of food,—indeed, they were on the verge of starvation, without any prospect whatever of replenishment. Bacon, recognizing the reasonableness of the feeling, granted permission to all the footmen,—who had been worn out by long marches,—to set out for home; and the same privilege was allowed to every horseman who requested it. They were supplied with food for two days, which would bring them to the nearest settlements without suffering. Gathering about him the troopers who remained behind, he continued to beat up the swamps and woods until he reached an open stretch of high land, and, at this spot, the food still left was found to be nearly exhausted. Informed of this, Bacon addressed his soldiers as follows, "I had rather," he said, "that my carcass should be rotting in the woods, and never see an English face again in Virginia than miss of doing that service the country expects of me, and which I vowed to perform against these heathen. If we go back without finishing them, they would be encouraged, the



FRONTLET OF THE QUEEN OF PAMUNKEY

English downhearted, and my adversaries would insult and reflect on me that my defense of the country is pretended, and not real; and they already say I have other designs, and make this but my pretense and cloak. All that abide with me must be ready to endure all the hardships this wilderness can cause, dangers, and successes, and if need to be, to eat chinquapins and horse flesh before they return. I only want those who will freely adventure.”

One portion of his troops decided to turn back; the rest, with Bacon at their head, marched forward from the open land into the dark forest again, and before three hours had passed, struck an Indian camp situated in a swamp overgrown with a mass of small oaks, chinquapin bushes, and wild grapevines. The savages scattered in the recesses of the immense thicket, but not before many of them had been killed or captured. A large supply of food was also taken. It was reported afterwards that the Queen of the unfortunate tribe,—who had saved herself by flight,—had made up her mind to give herself up to the soldiers, when suddenly she came upon the body of one of her own women shot to death in the woods. This sight caused her to turn and flee, and she was only rescued from starvation by eating a land tortoise which had been brought to her by her little son, who accompanied her.

While these events were happening in the forest, Carver and Bland had set sail for the Eastern Shore in the guardship. Arriving in Accomac, Carver promptly went on shore to hold a personal interview with Berkeley. Prudently for himself at the moment, he took with him a large company for protection against a possible surprise, but he failed to weigh the consequences of leaving the guardship in the hands of a weakened force under the command of Giles Bland. Indeed, this force was inferior in number to the original crew.

Larramore wrote slyly to Berkeley on shore that, if he would send a company of gentlemen to the vessel, they would be admitted through the gunroom portholes, and having thus got on board, could easily surprise and disarm the rebel sea-

men. Berkeley took the cue, detained Carver by one device or another, and hastened Lieutenant Philip Ludwell, with a band of companions of his own social rank, across the water to the anchored ship. These men entered the vessel in the way advised, and with the immediate assistance of Larramore's crew, overpowered Bland and all his adherents. When Carver and his escort on their return reached the vessel they were confronted by a line of muskets, and compelled to throw up their hands and surrender. In vain Carver stormed and reviled Bland. They were clapped in irons, and subsequently paid the penalty for their lack of caution with their lives. Berkeley came off and embarked in triumph; and the recaptured ship, accompanied by the *Adam and Eve*, under Captain Gardner's command, and numerous sloops, all manned with the governor's partisans, set sail for Jamestown. On his arrival there, Berkeley issued a flaming proclamation, in which Bacon and his lieutenants, and every man in their army, were denounced as rebels to the governor and traitors to the King.

The news of this outlawry was quickly brought to Bacon, and he at once summoned his principal officers to his presence; and when they heard of Berkeley's acts and denunciatory words, they swore, with renewed energy and enthusiasm, that they would uphold their leader to the last ditch. The fatigue of their long marches, the depression of their protracted absence from home, were forgotten. "You have," he exclaimed, "the victory before you fight, the conquest before battle. I knew that you can and dare fight, while they will lie in their place of refuge and dare not so much as appear in the field before you. You have the prayers and well wishes of all the people of Virginia, whilst the other side is loaded with their curses."

At Bacon's command, his followers swore that they would neither ask for nor give quarter; and in this grim and resolute mood, they began the march to Jamestown. A proclamation for recruits was sent to the upper plantations; and as the little army made its way through New Kent County, many

volunteers joined its ranks, until it came to number at least three hundred men. The sight of the Indian captives shrewdly driven along with it caused the people to bless Bacon as their preserver and their defender from the tomahawk; and they brought large quantities of food for his troops, while the women cried out that, if their husbands, sons, and fathers should fail to take up arms, they themselves would rush to the field in their stead. Berkeley had concentrated in the town one thousand men, who were reported to be seasoned and fully equipped. Bacon, informed of this fact, smiled, and quietly said, "I fear them not." Learning that scouts had been sent out to watch his movements, he took extra precautions as he advanced to prevent surprise. He halted his army in the deserted fields at Green Spring, and in a speech which he made to them so soon as they grounded their arms, he exclaimed, "Now is the hour to fight. What care we for the advantages possessed by the enemy in the point of ground, in the ease with which they can retreat, or in the freshness of their energies. Come on, my hearts of gold. He that dies on the field, lies on the field of honor." Although the soldiers had gone forty miles that day, they cheerfully resumed the march.

At Paspaheigh, Bacon, with a small escort, advanced some distance ahead of his men, and dismounted in full view of the town. Satisfied from this inspection that it could not be successfully assaulted, he ordered a breastwork to be thrown up. With one spade and two axes, his men labored in the moonlight until dawn and with logs and dirt constructed a strong fortification. When the sun made clear the way, six of Bacon's soldiers, full of a daredevil spirit, ran across the open space and fired their muskets at the guard, and then withdrew unscathed behind their defenses.

It was reported that Berkeley had ordered his troops not to shoot the first gun, for the reason that he was not only reluctant to shed the blood of Virginians, but also thought that the differences between himself and the rebels could be settled, now that the Indians had been humbled and driven from the

frontiers. That such was his real attitude,—however prudent in itself at this time,—is doubtful, for reconciliation with Bacon would have required, on his part, concessions to the popular cause which a man of his passionate temper would hardly be likely to consent to make, and which, in the state of his resources at that hour, did not appear to be justified. There was certainly no spirit of conciliation at work in Bacon's heart, and this was simply because he had no confidence in Berkeley's promises. "This talk of unwillingness to shed blood first," he scornfully exclaimed, "did he not send his boat to places where the public provisions were stored for the maintenance of the war against the Indians, and carry them off by force in order to support a war against the people themselves? Cannot our men show the scars which his bullets have inflicted?"

An advance was sounded against the town, only to be received by a cannonade from the ships in the river, and by a shower of smaller shot from the palisades. Retiring to the cover of their own breastworks, Bacon and his soldiers kept up a sharp fire upon the enemy behind their defenses, and at the same time, raised and lengthened their own fortifications. A device of modern warfare was also adopted by the besiegers,—they posted a scout on top of a tall brick chimney nearby, who called down the movements of the opposing troops and the number of men in their ranks. Soon steps towards a sally were reported, and Bacon, going forward, so disposed his soldiers that, if they should be successful in resisting the projected assault, they could follow the enemy pell mell into the very streets of the town. But before the foe had passed much beyond the screen of the palisades, they seemed to lose their courage and quickly retreated to cover again. Informed of their withdrawal by the watchman on the tower, Bacon ordered his men to fall back to the breastworks. Hardly had this been done when the enemy made a second sortie, and assuming a narrow and wavering front, marched unsteadily up to the spot where Bacon's troops had again taken position to oppose them. The impact threw the foe at once into confusion, and casting to

the ground their arms, their drums, and even the corpses of their fellows who had been killed in the assault, they fled upon their track to the protection of the palisade.¹

Within a few hours, a large number of volunteers came to the rebel breastworks to enlist, but one Chamberlayne was not so easily influenced by success. He brought his sloop to a point in the river where he could make his voice heard as he poured out a flood of boastings and curses. A few shots from two large guns which Bacon had mounted quickly forced him to abandon his sloop and take to his boat, bawling, as he retired, as if severely wounded by the shower of bullets.

Berkeley, discouraged by the cowardly spirit which had caused the defeat of his force, decided to abandon Jamestown the second time. He himself does not appear to have taken a brave part, as in the Indian and Dutch wars of the past, in the charge against the breastworks. There is no record that he offered to lead, or even to rally his men, but rather throughout the time of the fight seems to have been a silent and useless spectator. The desertion of Jamestown was afterwards pronounced by the English commissioners to be an act of baseness; but Berkeley had probably learned that his soldiers could not be trusted to save him from capture, should the palisade be resolutely attacked, as now seemed imminent. Twelve hours after its evacuation, Bacon was in possession of the town; and he soon decided to burn it to the ground. With the hostile fleet lingering a few miles down the river, and Brent reported to be leading an army of one thousand men against him from the Rappahannock and Potomac, he thought that it would be impossible to hold it; and so long as it existed, it would be certain to stimulate the enemy to put forth extraordinary exertions to recover it. Every house, including the church and capitol, went up quickly in flames; and it was said that Bacon's

¹It is said that Bacon, in order to discourage an assault on his breastworks, forced the wives of hostile planters in the vicinity to show themselves on its top. This incident is not mentioned by the commissioners, and probably never happened.

faithful friends, Lawrence and Drummond, threw torches into their own halls.

Bacon withdrew to Green Spring, and there drafted an oath of fidelity to himself which he expected to be taken by the Virginian people at large; and in this paper, he referred to Berkeley as the "late governor;" denounced him for perfidy in denying the validity of the commission which he had given to Bacon himself; and charged him with betraying his official trust in flying to Accomac, violating the instincts of humanity in levying war against the colonists, and standing between them and the King by intercepting the remonstrances against his tyranny which they had endeavored to lay at the foot of the throne.

If, notwithstanding all the entreaties and offers which would be made to the commissioners and military commanders who might be sent from England, they should persist in landing troops, then,—so this memorable paper declared,—the people of Virginia would have the right to run together as in a common calamity, and jointly with their present army, stand or fall in defense of General Bacon and the country in so just a cause. Rather than submit to so intolerable a slavery, should they be unable to hold out against the superior power of the redcoats, they would prefer to abandon the Colony. "This we all swear," so the oath closed, "in the presence of Almighty God, as unfeignedly and freely as ever we desire of him for happiness to come."

It is clear, from the language of this document, that, in spite of his triumph over Berkeley,—or, perhaps, because of the completeness of that triumph,—Bacon had grown acutely apprehensive of the impression which his acts had made on the English Government. There is an undercurrent of despair even in his expression of determination. Could he, with his small force, have prevented a body of trained troops from landing? Quite certainly not. But after they had disembarked and taken up the pursuit on land and penetrated far towards the frontiers, they would very probably have been drawn into

an ambuscade as destructive as the one which Braddock fell into under the same circumstances.

Bacon's proposal, in case of failure, to retire into the woods beyond the Roanoke was the forerunner of Washington's resolution to take refuge in West Augusta, should his troops be compelled to abandon the coast. Had the rebel of 1676 retreated to the back country, he would have been accompanied by such a band of emigrants as had never before appeared on the American continent. The dark and bloody ground of Kentucky, or the valleys of the Watauga and Tennessee, would have been settled by these fugitives many decades before a white face was destined to be seen on the western slope of the Alleghanies. There would have been a lost colony far more numerous than the little band which disappeared in the sixteenth century from the forests of Roanoke Island.

As Berkeley's flotilla lingered in the waters of the Lower James, Bacon sent detachments of troops along the banks to prevent the landing of soldiers from the ships. At the same time, he was inclined in this hour of success to show a spirit of great moderation towards those of his opponents who had fallen into his hands. One of them alone, James Wilkinson, who had deserted his colors, was sent to the gallows. Others equally guilty were simply deprived of their goods or thrust into prison. It was acknowledged by the English commissioners that this terrible ogre, as described by Berkeley and his partisans, had exhibited no bloodthirstiness whatever in the course of his violent career. Who ever had so burning a temptation as he to retaliate when the implacable old governor refused to surrender Carver, Bland, and Taylor, in exchange for three of his principal lieutenants then languishing in Bacon's power? The latter released many of his prisoners captured in the war, and he pardoned others charged with capital offenses. Finding that his soldiers were growing insolent and oppressive in their conduct towards the people at large, he subjected them to the sternest rules of discipline,

with very severe penalties for neglect or violation of the regulations. All guilty of plundering were punished as soon as they could be arrested.

The entire area of Virginia situated on the western side of the Bay had now fallen under Bacon's control. All opposition to his supremacy had been crushed. He was soon able to announce a definite policy for the pacification of the distracted country. First, the government of the region on the south side of the James was to be confided to a committee of able and experienced residents; second, a committee of officers was to decide upon the justice of every seizure of property by the army; and third, a committee of citizens who understood the conditions prevailing on the frontier was to regulate the intercourse between the white people and the Indians in time of peace, and assume the direction of affairs in time of war.

Before these statesmenlike plans could be put in force, Bacon, in order to make an inspection in person of the ground, set out upon a tour of the Colony. His first stage brought him to Gloucester County; and here his career suddenly ended. His exposure in his various marches had infected his body with the germs of malaria, which developed, in time, into chronic dysentery. In the unwholesome disorder of camp life, he had also been attacked by vermin, that caused a disease of the skin which he found it impossible, with the poor medical resources at hand, to throw off.

It was reported that, in his last hours, his mind was agitated over the expectation of the arrival of the English troops. This was through no cowardly dread of such a force. Without his leadership, he put little trust in the coherence of his army; and it was quite probable too that he had looked forward to negotiations with the English commissioners in imitation of those that took place many years earlier with the representatives of Parliament. No one but himself could successfully conduct these negotiations, for no Virginian but himself possessed an authority to which all on his side would submit. He frequently inquired as to the strength of his guard, as if

he feared that he was in danger of assassination at Berkeley's instigation. His body is supposed to have been buried in the waters of an inlet of the Bay which lay not far from the home of the planter, Mr. Pate, where he died. The exact spot has never been disclosed. The secrecy of his interment saved his remains from the contumely which overtook Cromwell's body at the Restoration.

Thus passed a man who, in spite of occasional rashness and violence, proved himself to be a friend of popular liberties, in an age of sordid selfishness and mean oppression, and who invited death, even if he should triumph, by the devotion of his fortune, his talents, and his health to the cause of patriotism. He staked all that makes existence tolerable in order to rescue his fellow-countrymen from the red hand of the savages and the greedy talons of tyrannical magistrates. Wretched were the times, despicable was the political system, which, in the end, after the pouring out of so much blood, and tears, and energy, relegated all the high purposes of his lofty and manly spirit, all the fruits of his disinterested military and civic actions, to the disposal of an ignorant and selfish government oversea, and of vindictive and selfseeking functionaries in Virginia.²

²The noblest piece of verse composed in any of the colonies during the seventeenth century was written upon the subject of Bacon—verse that has the flavor of the Shakespearean period.

CHAPTER XXVIII

THE REBELLION COLLAPSES

General Ingram succeeded Bacon as commander-in-chief of the insurgent forces. He was a man of obscure birth, and possessed few of the resolute qualities of his predecessor. A bold, resourceful, and alert leader was now needed to cope with the advantage which Berkeley possessed in sea power. From the Eastern Shore, the latter was able by means of his vessels to strike at three vulnerable points,—the York, the Rappahannock, and the James rivers, the gateways to the mainland. As it was not known which of these would be first attacked, Ingram unwisely divided his army into detachments,—one was stationed at the home of Nathaniel Bacon, Senior, on the upper reach of the York; another at Colonel Reade's lower down; and the third at Green Spring, near Jamestown. Ingram lay encamped with the main body at West Point, which he thought would be near enough to the outlying detachments to enable him to send reinforcements to any one of the three whenever they should be needed.

But in this impression he was mistaken. Robert Beverley, with a considerable force, crossed from Accomac, and landing at Colonel Reade's captured Colonel Hansford and all his men and quickly returned to the Eastern Shore. Hansford was tried by court martial, sentenced, and although he earnestly requested that he should be shot, was sent to the gallows. "I die," exclaimed this first martyr in the cause of popular freedom on the American continent, "I die a loyal subject and a lover of my country." Captain Cheesman was the next officer to be captured by the same manoeuvre from over the water. He too was tried by court martial, and, of course,

convicted. When his wife threw herself on her knees before Berkeley to plead for her husband's life, he brutally thrust her away with a foul epithet that has consigned his memory to eternal infamy.

The governor's thirst for blood had now got its first whetting, and it was not to be satiated so long as he had the power to gratify it. He concluded from the success of



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these two small expeditions that a large one would be still more triumphant. There was no evidence that the people at large were heartily supporting Ingram, or that his soldiers had much stomach for a fight—indeed, many persons who had followed Bacon with fidelity now let it be known that they were worn out with the bloody strife, and would welcome a permanent peace. Encouraged by this combination of favorable signs, Berkeley crossed the Bay to the York River with numerous ships and sloops and a very considerable force of men, and established his camp on the plantation where Bacon had died. Here he issued a proclamation calling on the people

to rally around his standard; and so great was the crowd which obeyed that he exultantly declared that the war was ended. But this announcement was premature—Colonel Walkelett,³ of Ingram's army, fell upon a body of Middlesex militia who had sworn to support Berkeley and dispersed them to the winds; and turning in his track, set out to lock horns with Major Lawrence Smith, who was approaching from Gloucester with six hundred men to attack the army at West Point. Ingram, getting in behind Smith, compelled him to surrender his entire force.

An attempt by Captain Furrell, one of Berkeley's lieutenants, to rush the detachment stationed in President Bacon's house on the York River resulted in such failure that the attackers had to retreat in haste to their boats for safety, after witnessing the death of their commanding officer.

Discouraged by the upshot of his military operations on the north side of the James River, Berkeley decided to send an expedition to the south of this stream, in the hope of winning success in that quarter at least. This part of the Colony had not been so deeply mixed up in the insurrection, and now that Bacon was dead had grown indifferent to the cause which he represented—a condition due, in some measure, also, to the fact that Ingram had not thought it to be of urgent importance to defend this group of counties from attack. Its people appear to have submitted to Berkeley without any serious show of resistance. The same feeling of weakness and weariness, now that Bacon's strong arm was withdrawn, spread to the population on the north side of the river, where it was swelled by the arbitrary action of Ingram's soldiers in carrying off food from the plantation larders, and driving off the cattle for slaughter—in reality, the only way open to them to obtain the provisions which they

³The name of this officer appears in the records as Wakelett, Walklate, and Walkelett. The historian has a choice of spellings as in the case of Shakespeare's name. The real name was probably Walkley.

needed. Some gratuitous damage, however, was inflicted, such as the burning of houses and the destruction of fences.

Just at this hour when the members of all classes were revolted by these acts of lawlessness, overtures were made to Ingram to surrender, with immunity to his person and estate. Berkeley was anxious to be able to report before the arrival of the English troops and commissioners that the rebellion had been completely crushed; and this feeling led him to offer the same conciliatory terms to every veteran in Ingram's army. To those who were indentured servants, the promise was given that they should at once go free; and to all, a large wage was to be paid for their military services; and they were also to be permitted to enlist for the Indian wars, should they desire to continue in the field. Walkelett was not only pardoned in his turn, but received a share of the booty carried off in the previous campaigns against the savages; and in return for this bounty, persuaded his soldiers to throw down their arms in a body.

About three hundred men rallied under the leadership of Drummond and Lawrence, who had been specially excepted from pardon by Berkeley; but this force, after marching into New Kent County, soon melted away. Drummond, who had served as governor of Carolina, and was a man of birth, education, and fortune, was captured in a swamp, and quickly brought before Berkeley, with whom he had had a difference previous to the insurrection. The vindictive old man bowed profoundly, with sarcastic courtesy, before the prisoner. "You are more welcome," he exclaimed, "than any other man in Virginia." Drummond bore these cynical and heartless insults with silent dignity. He was made to walk all the way to Colonel Bray's house in order to stand trial by court martial. When he complained that the irons on his limbs hurt him, his guards, more human than Berkeley, permitted him to rest, for which kindness he gratefully thanked them. As he stood up before the court for the judgment already foreordained, his coat was stripped from his back and his

ring from his finger. The judicial farce ended in thirty minutes, and he was hurried away to the gallows. When the circumstances of his trial and the confiscation of his estate were reported to the Privy Council in England by his inconsolable widow, that body condemned the outrage of his summary treatment, and ordered that his property should be restored to his family.

Prominent men, like Thomas Hill, Henry Pope, and Thomas Young, had already been strung up like so many highwaymen, without any show of an honest trial.

In the meanwhile, three commissioners, Colonel Herbert Jeffreys, Sir John Berry, and Colonel Francis Moryson, who had been appointed by the King to probe the causes of the commotions in Virginia, were on their way across the ocean. But the knowledge that they would soon arrive seemed only to spur on the savage governor to recoup himself and the councillors for their losses by confiscating the estates of all who had taken a prominent part on the opposite side in the recent struggle. No formal charge of treason was considered to be necessary. Many of the unfortunate followers of Bacon and Ingram were arrested and thrust into the county jails; and those of them who escaped execution by court martial, obtained their release only by delivering up to the insane Berkeley all the property in their possession. The pangs of hunger and the pinch of cold were brought to bear to constrain the backward to yield.

Amid all this orgy of cruelty and greediness, the case of one individual aroused a peculiar horror. Edward Lloyd was thrown into prison and kept there long enough for his plantation to be rifled of everything of value belonging to it; and so violent and so ruthless was the conduct of the robbers that the terrified Mrs. Lloyd was prematurely delivered of child and died before her husband could reach her. The wives, widows, and children of men who had assisted Bacon were treated as relentlessly as if their innocent hands were dyed the deepest red in treason.

Berkeley was engaged in this campaign of plunder and judicial murder—the only parallel of which in English history is to be found in the Bloody Assizes of the infamous Judge Jeffreys—when news came from Old Point that two of the commissioners, Berry and Moryson, had arrived in the Bay with a part of the military force that had been sent over. Hurrying to receive them, Berkeley gave them a profuse and plausible description of the insurrection—of its supposed causes and his own conduct; but the two Englishmen were not satisfied to hear only one side of the controversy. They informed him that they had been ordered to collect testimony from persons of both parties; and the fact that their impression of his share in the dark episode was soon unfavorable to him grew to be so clear to him, even before Colonel Jeffreys had joined them, that, in his resentment, he restricted his intercourse with them to writing. They sent him word that, thereafter, all confiscations were to be carried out in strict accord with common law. Jeffreys, on his arrival, confirmed this order; but Berkeley defying them, continued his illegal seizures.

The three commissioners, visiting him at Green Spring, informed him that he was commanded by the King to return to England to make a personal report. In a rage, Berkeley called for the proof of this statement. Jeffreys, who was to serve as lieutenant-governor in his absence, read his commission, which contained this instruction. Unfortunately, a clause in the document permitted the governor to leave the Colony at his convenience, and he, shrewdly seizing on it, claimed that he could not be superseded so long as he was present in Virginia; and while there were more rebels to be hung and more estates to be confiscated—so he cried out defiantly—he was determined to remain. Jeffreys was unequal to the emergency. Instead of sending the desperate old man on board the first ship sailing for England, he allowed himself to be brow-beaten and thwarted, as if he had neither commission nor soldiers at his back. The only explanation that can,

apart from weakness of character, be offered for this supineness was the fear that Sir John Berkeley of the Privy Council, the governor's brother, would, on the latter's return to England, join with him in intriguing for Jeffreys' recall and disgrace.

Berkeley had been ordered by the King to issue a proclamation that should exclude Bacon alone from a general pardon. The governor had the audacity to modify this document by a proclamation of his own, in which he named additional persons to whom the royal clemency would not be allowed by himself to extend. Among these was Colonel Thomas Swann, who had given the shelter of his house to the commissioners when it was found that no lodging had been provided for them by the angry Berkeley. The latter, cynically indifferent to the commissioners' protest, tried Giles Bland, William Scarborough, and four other of Bacon's partisans of equal prominence, by summary court martial, and at once gave them over to the common hangman. Anthony Arnold was strung up in chains, although he had shown by his utterances that he was insane. Robert Jones, an old soldier in the civil wars, only escaped death by the imperious intercession of Lady Berkeley.

So insatiable for blood and plunder became the monstrous old man that the General Assembly, a body of his own creatures, grew impatient and requested him to desist; but not listening to their remonstrance, he continued, without a shadow of law, to levy fines and compositions for treason. He seems finally to have let up in his violent course only from fear that the common people, who had begun to murmur, would rise in desperation against him. Indeed, the presence of one thousand regulars at Jamestown alone seems to have prevented a recrudescence of the former commotions. A rumor spread that all the settled plantations were to be abandoned by their owners and new homes sought far beyond the mountains. The remoteness of that wild region and the ferocity of the Indians were preferable in their eyes to the sanguinary

tyranny of the man who then occupied the seat of power at Jamestown.

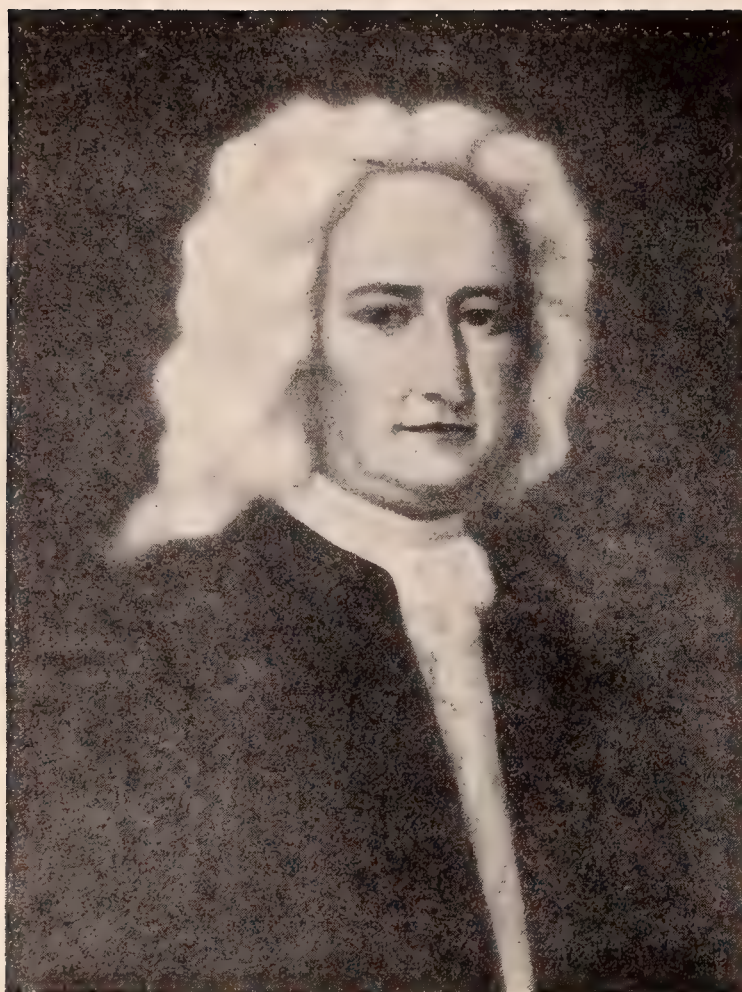
The General Assembly—which had been elected just after the close of the rebellion—refused to permit anyone to hold civil or military office who had been in Bacon's service. They passed an act that prescribed a whipping for every one who should speak disparagingly of Berkeley; they defined as mutiny the assemblage of even six men under arms; and they sternly refused to receive any petition setting forth the popular grievances. "Not until Governor Berkeley has left Virginia," the commissioners correctly reported to the Privy Council, "can we hope to overcome the public fear of his resentment so far as to find out the real sentiments of the people and their impressions of their wrongs."

The puerility to which Berkeley could descend, in the midst of his ruthless violence, was illustrated in the insult which he offered these dignified English officials in sending them away from his house, after a polite call, in his coach driven by the common hangman.

Jeffreys now took the step which he should have taken earlier—he announced by proclamation that he would assume the powers of the governorship; but he had put this off so long that the people doubted whether he was not a usurper; and when Berkeley did afterwards sail, they thought that he would certainly return to resume his former despotic functions. Jeffreys tried to soften the effect of his dilatoriness by saying that he had been only waiting for the new Assembly to come together. Berkeley denied the legitimacy of the new administration to the last. "You have ejected me from my share in the government while I am yet in the country," he wrote his successor, "and there is no justification for your conduct in my commission or in yours." This letter was addressed in language characteristic of its writer, "To the Right Honorable Colonel Herbert Jeffreys, his Majesty's Lieutenant-Governor of Virginia;" and it was signed, "Wil-

liam Berkeley, Governor of Virginia until his most Sacred Majesty shall please to determine otherwise."

There was little to gratify him in his reception on arriving in England. It was now known there, through the commissioners' report, that he had refused to yield his seat to Jeffreys; and that he had also deliberately ignored the King's order in modifying the royal proclamation of pardon. "How can the people of Virginia," wrote Secretary Coventry to him in a letter that passed him on the ocean, "be brought to a right sense of their duty to obey their governors when the governors themselves will not obey the King?" Berkeley had been sick when he left Virginia, and he grew worse as he drew near England. In spite of his extreme weakness after landing, he implored Charles to grant him an audience, which was done out of commiseration for his condition, but he died before he could feebly kiss the royal hand. His end may have been hastened by hearing the words which the monarch in a moment of indignation had spoken of him, "That old fool has taken more lives in that naked country than I have done for the murder of my father."



COL. PHILIP LUDWELL

CHAPTER XXIX

ADMINISTRATIONS OF JEFFREYS AND CHICHELEY

After Berkeley's departure, the commissioners pushed with energy their inquiry into the causes of the rebellion and the course of its events. They had refused to adopt his advice that they should use the judges of the county courts to sift out the popular complaints, since they were aware that these men had been appointed by him, and were his heated partisans. Instead, special agents to visit the several counties and take down the grievances of the people were selected by the commissioners; and they were instructed to say that all who testified would be under the King's protection in speaking the truth in regard to the late governor and his conduct. The commissioners ordered Robert Beverley, the clerk of the House of Burgesses, to deliver up all the records of that body in his custody; but he refused to do this, in spite of the authority of their commission, although willing to show all the papers in his possession without parting with them. The documents were seized without further discussion. This action led to an indignant protest from the General Assembly convening in the autumn (1677). It was a violation of their privileges, the members of that body declared—such, indeed, they said, as had no precedent in the history of the English people; and they demanded a guarantee against its repetition. When the protest was reported to the King and Privy Council, they referred it to the Board of Trade and Plantations, who pronounced it to be little short of rebellion, and recommended that its authors should be punished for sedition. But this extreme advice led to nothing more severe than an order that

the record of the protest should be expunged from the Assembly's minutes.

When Berry and Moryson, who had left Jeffreys in the governorship of Virginia, delivered the commissioners' report to the Privy Council, which was a calm but severe arraignment of Berkeley's course in the rebellion, his brother, Sir John Berkeley, endeavored to crush them by rude words and boisterous manners. "You two," he cried out, "have murdered my brother." "We did nothing," replied Moryson, with great dignity, "but what we dare justify." The palpable sincerity and honesty of the two men made such a deep impression on the minds of the councillors that all, with the exception of Sir John Berkeley, approved the contents of the report. Secretary Coventry felt so much confidence in the conclusions of Berry and Moryson that he followed their advice in settling the disturbed affairs of the Colony. In accord with that advice, Robert Beverley, Edward Hill, Philip Ludwell, Bray, and Thomas Ballard, were dropped from the council in Virginia, or from their collectorships, and Beverley and Hill were declared to be ineligible to hold office in the future.

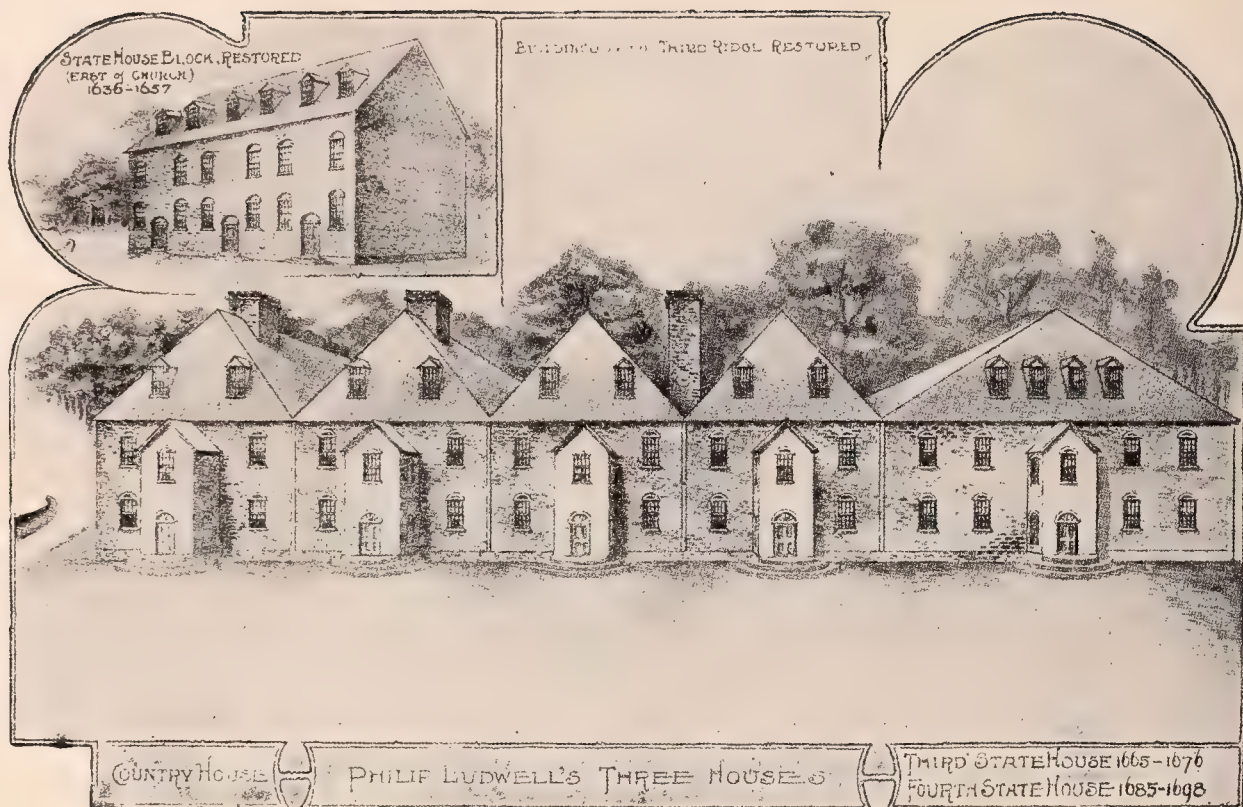
This coterie, in consequence of their disgrace, became more bitter than ever in their hostility to Jeffreys—they opposed him, denounced him, slandered him, in order to shake his hold on popular respect and loyalty. Unhappily, the governor fell ill at this moment when his enemies were most venomous and energetic, and they took advantage of his complete disablement to revive, as far as practicable, the old spirit of persecution and robbery. The council, in spite of its purging, was still hostile to his person and policy, and through its members, Beverley and Ludwell found themselves in a position to gratify their feelings of animosity. The boldest act which they, in association with this body, committed was to ignore the instructions of the King directing that his original proclamation of pardon should be put in force without the supple-

mentary modification which Berkeley had outrageously introduced.

Why did these men venture to show such audacity? Apparently because, not having heard of his death, they were convinced that, through his influence with the King, he would soon be able to obtain the royal approval of all that had been done by him and his partisans both during and after the rebellion, and all that his friends in Virginia should do in the immediate future.

The councillors and their outside associates defied the indignant warnings of Jeffreys from his sick-bed, and went on with the levying of fines and compositions as coolly and systematically as if there had been no power on earth which was able to interfere with their action. It was not until the news of Berkeley's death was brought to Virginia that they issued the proclamation of pardon, and sent out to the sheriffs the writs for the election of a new Assembly. Both sheriffs and justices of the county were now in sympathy with them, as Jeffreys had failed to fill these offices with men who supported his own policies. These policies received no support from the members of the new body chosen under the influence of his enemies. Their first measure was to appropriate a large sum to compensate themselves for losses in the rebellion, and to reward those persons who had given Berkeley special assistance in suppressing it; their second, to punish the citizens who had drafted and submitted to the English commissioners the grievances of the several counties.

Jeffreys was now slowly recovering his health, and he soon showed his hostility to the group of men who were responsible for these sinister acts—particularly to Philip Ludwell, the most cynical and insolent one of them all. "The governor," Ludwell said sneeringly, "is a hateful little fellow with a periwig who was not worth a groat in England. He is a worse rebel than Bacon, for he has broken the laws of Virginia." He endeavored to escape the penalty of these libelous



words by asserting to Jeffreys that, when he spoke them, he was tipsy from drinking a flagon of cider. He was found guilty, and his case was appealed to the English authorities.

Illness again incapacitated the governor; the administration fell back into the hands of the hostile councillors; and the former confiscations of the estates of the pardoned rebels began once more. The animosity of his enemies, especially of Beverley, Hill, Ludwell, and Ballard, and most insolent of them all, Lady Berkeley, was so violent that, after his death in 1678, they conspired to prevent the payment to his widow of the arrears of his salary, although it was known to them that, during the last months of his life, he had been compelled to borrow the money to defray the expenses of his household; and that his widow had been cast in jail because unable to repay the amount. And not until she had returned to England and appealed in person to Secretary Coventry was she able successfully to combat the unspeakable meanness of this contemptible faction in Virginia.

Such was the scant reward for the services of Jeffreys, a man of excellent intentions, but lacking in a personality commanding enough to overawe the selfish and domineering spirits who were fighting his wise policies at every turn without regard to scruple or justice, and practically with no respect at all for the royal authority.

Jeffreys was succeeded by Sir Henry Chicheley under the terms of a commission granted him in anticipation of just such a vacancy as had now occurred. The new executive was far gone in years, feeble in health, and at times thought to be slightly crazy. But he had the good sense to act with far more moderation than the men who had been opposing whatever Jeffreys approved. He threw all the power of his position on the side of those candidates for election to the new Assembly (1679) whose opinions and conduct indicated that they were in favor of shutting the door against the schemes of the factions that had so long harassed the unhappy colony and of beginning an era of peace and justice. The spirit of the new

body was manifested in their passage of an act authorizing each parish to select two representatives to be present at the session of its county court whenever the tax levy was to be laid. Other laws equally prudent and conciliatory were adopted.

CHAPTER XXX

ADMINISTRATION OF CULPEPER

In the midst of a political atmosphere that had not yet had time to calm down, Lord Culpeper, the new governor, arrived. This was in 1680. The old coterie of Jeffreys's enemies had heard of his appointment with great satisfaction because they thought that, as Lady Berkeley's kinsman, he would quite likely bend very decidedly to their faction's wishes. The ground swell of the rebellion still perceptibly heaved. The survivors on either side of the great controversy were still exasperated by implacable memories—one party recalled the heavy taxes, the confiscations, and the executions; the other, the plunderings by irresponsible troopers and the supposed shielding of the wrong-doers by Jeffreys.

Perhaps, the most curious phenomenon that sprang out of this witches' caldron of black passions was the reversal of leadership. Some of the men who were most active as Berkeley's lieutenants in oppressing the people, both before and after the rebellion, gradually assumed, with perfect sincerity, the character of their defenders from the strokes of official tyranny. The House of Burgesses, in consequence of this unexpected change of attitude on the part of individuals, became, in a few years, a more popular and a more independent body. How did this new attitude come about? It arose from the disposition of the English Government, acting through the Privy Council and Board of Trade and Plantations, to supervise the Colony's affairs more closely, and to interfere with them more arbitrarily. Conflicts with the General Assembly resulted from the annulments of its acts, denial of its exclusive right of taxation, the withdrawal of its right to



LORD CULPEPER

elect its own clerk, and the questioning of other privileges of that body of which it was equally jealous. This attitude on the part of the English Government very naturally solidified all classes of Virginians and united them by new ties of sympathy and concurrent action. The ablest men in the community became the leaders of the people as a body; and such men were found chiefly in the ranks of Berkeley's former partisans.

Culpeper was the first in the long line of subservient governors whom the more intrusive spirit of the King and Privy Council sought so unscrupulously to use. Poor creature in character as he was, it should not be forgotten in his favor that absolute obedience to the illiberal and arbitrary government in England was the condition of his retention of his office. His policy was not his own. It was dictated by the men in power across the water who were steeped in the selfishness and blindness of the Stuart dynasty. It is probable that even Culpeper, if he had been left to act on his own observations, would have been more responsive to influences promotive of the Colony's welfare.

There were two clauses in his commission which in themselves alone demonstrated the need of co-operation on the part of the Virginians, if privileges which they had considered to be inalienable were to be preserved. First, the right of summoning the General Assembly was taken away from the governor and lodged in the king. Not until the latter had assented to the necessity of a session and authorized the governor to issue the writs, could that body legally convene, should this clause in the commission be put in force.

But the second clause was still more subversive of the Assembly's dignity and independence. When it had been called together—which might occur only at long intervals—all its bills were to be dictated by the governor, who was, however, required beforehand to send the drafts to England for approval. It was only after this approval had been obtained that they could be laid before the burgesses. A wide ocean

alone thwarted the consummation of these arbitrary regulations. Distance made their enforcement practically impossible; and this fact the King, the Privy Council, and the Board of Trade were in time constrained to acknowledge. Even they hesitated to deprive the General Assembly of all right over the levying of taxes; and in the end, they seem to have contented themselves with an occasional transmission of a revenue bill—such, for instance, as the one for the imposition of two shillings on the exported hogshead, which the Assembly was instructed to enact into law.

In the beginning, Culpeper leaned as expected towards the former partisans of Berkeley. Ludwell was restored to his seat in the council in spite of his exclusion by royal order; and Robert Beverley, though he had been deprived of the right to hold any office, was reelected to the clerkship of the House. The General Assembly was chiefly drawn from the ranks of those who had opposed Governor Jeffreys' measures; and yet that body resisted with indignant firmness an attempt on Culpeper's part to dictate the passage of a revenue bill which he had submitted for adoption. When he submitted it for the second time, the members declined to discuss it. He then endeavored to mould them to his will by threats, promises, and bribes; but they continued to turn a deaf ear until he warned them that, unless the bill became a law, the collection of quit-rents would have to be more rigidly enforced; and they only consented then upon his assurance that he would ask for the repeal of the tobacco export tax, which was subsequently granted by the Board of Trade.

Culpeper showed no affection for the Colony. He did not go out to Virginia until the second year after his appointment, and he only went then under a threat from the King that, if he did not depart at once, his commission would be cancelled. A brief sojourn at Jamestown whetted his desire to return to the amusements of London, and in August, 1680, he embarked for home, with the complacent announcement that the Colony's peace and prosperity were now such that he could leave with-

out detriment to the public interests. But he had simply glossed over the true state of affairs. A feeling of depression really prevailed, owing to the low price of tobacco, which was said to be now so unprofitable that it did not sell for enough to defray the cost of the necessities of life. It was even feared that the pangs of hunger would cause the servants to rise and plunder the stores for food. Not only the planters in Virginia, but their merchants in England urged the Assembly to pass an act that would provide for the general cessation of tobacco culture for the period of one year.

Chicheley was now again serving as deputy-governor, and although forbidden to summon a new Assembly, before Culpeper's return, to consider the question of cessation, he thought it expedient to call that body together to decide whether the Colony should support the soldiers sent over in 1676, now that the King had declined to provide for them any longer. The burgesses convening refused to restrict their discussions to so small a point, and asked Chicheley's permission to pass an act legalizing a cessation, on the ground that they dared not face their constituents unless they had by their votes met the popular demand for it. The deputy-governor, apprehensive of the Privy Council's disapproval, refused to comply, and as the burgesses remained obstinate, he prorogued the Assembly. On their return to their homes, the members of that body aroused great anger among the people by their report of the obstacles which had been thrown in their way to prevent a ballot in favor of cessation, and large bodies of men determined to carry out that policy by force. The plants now springing in the field, they exclaimed, must be destroyed.

The crusade began in Gloucester, and was broken up by soldiers only after enormous damage had been done. It began again in New Kent, where persons with sticks and knives in their hands slashed right and left among the stalks. This crusade also was suppressed with troops. Then a third one, on a still larger scale, started in Middlesex and the adjacent counties, and as it was pressed with feverish energy during

the night as well as during the day it could not be so easily halted.

While the plants were being shattered to tatters, a rumor crept far and wide that many of the Colony's leading men were secretly in sympathy with the outbreak. The finger pointed most confidently to Robert Beverley, who had vehemently opposed the adjournment of the last Assembly without agreeing upon an act of cessation. The ardent supporter of Berkeley in his wicked meanness, the enemy of Jeffreys in his beneficent policies, had become—at least in the popular view—the champion of popular rights. So strong was the suspicion of instigation leveled at him that he was arrested by the government at Jamestown and hurried to prison on board of a ship in the Rappahannock River, and afterwards was sent off to the Eastern Shore to avoid all chance of a rescue by the angry planters. Evading the clutches of his guard, he returned to his home in Middlesex; but was quickly recaptured and clapped again into jail across the Bay, where he was detained during several months, although he continued to demand the writ of Habeas Corpus. He was finally released on giving bail amounting in modern values to fifty thousand dollars; and he was also deprived of his license as an attorney and of the privilege of holding office. But the most careful inquiry by Culpeper on his return in 1683 failed to convict him of actual complicity with the rioters.

It was as rioters that Chicheley had treated even the ringleaders of the commotion; but Culpeper, bringing up an old English statute which punished lawlessness that led directly or indirectly to the diminution of the English customs as treason, had these ringleaders arraigned in court for that crime and two of them condemned to the gallows. His harshness—which had the approval of the English government—seems all the more cruel in the light of the fact that his new instructions permitted him to order a cessation, should he find, on his arrival in Virginia, that the people's condition really required it. But fearful lest his tenure of his office

should be jeopardized by the heavy decline in the volume of the English customs, which was certain to follow such a cessation, he advised and encouraged the planting of the largest crop of tobacco that had been seen in the Colony for a decade—one which, he boasted, would add fifty thousand pounds sterling to the English revenues that year. It was true, he confessed, that the price of the commodity would fall still lower, and that the people, in consequence, would probably again resort to plant-cutting as a remedy; but should they do so, he could be trusted, he said, to put their lawlessness down with an iron hand.

Overwhelmed by the monotony of life in Virginia, Culpeper, without asking permission of the Privy Council, returned to England in the spring of 1683. "I go home," he said smugly, "for the King's service only;" but the English Government was incredulous of his sincerity and abruptly cancelled his letters-patent. Not even the gratification of a gross cupidity had induced him to refrain from endangering his tenure. The annual salary of the governor's office had been one thousand pounds sterling, about twenty-five thousand dollars in modern values. Culpeper bullied the General Assembly into paying him two thousand pounds sterling—an enormous drain on the resources of a colony then immersed in the blackest poverty.

The moral caliber of the man was revealed in a stroke of financial jugglery which he did not hesitate to commit during his stay at Jamestown. He had brought over from England the fund needed to cover the wages of the troops transported to Virginia to suppress the rebellion—which were very much in arrear—and also a large sum due numerous citizens for the soldiers' board and lodging, which had been furnished by these citizens without return during several years. Instead of paying over this money at the normal rate of the pieces of eight, the only coin then in circulation in the Colony, he used it to buy up all the pieces of eight that he could lay his eager fingers on, and although the ratio was then only five, he

announced that, thereafter, the ratio would be six, and at six he settled the balances due the troops and the householders. Then by proclamation the old ratio of five was restored, which left the amount of his own salary, when paid, unreduced.

In the foul odor which this act of trickery created he departed, with his pockets bulging with these and other unscrupulous gains. He was not, however, of the stuff of which a real tyrant is made. As a matter of fact, his calibre was not big enough for such a character on an imposing scale. At bottom, he was a corrupt man of pleasure, who was always sighing for London. He gave rein to a mean greediness of spirit while in the Colony in order to procure the money with which to gratify his tastes so soon as he should return to England.

CHAPTER XXXI

ADMINISTRATION OF EFFINGHAM

Culpeper's successor, Lord Howard of Effingham,¹ was of a firmer and darker temper, and, while in Virginia, was more occupied with the larger aspects of his office. This alone can be said in extenuation of much of his conduct—that he was a creature of the Stuart Government at its worst, and that, unless he had been obedient, subservient, and zealous, he could not have retained his position a single hour. Apparently, however, it was perfectly congenial to him to enforce the oppressive instructions which he received, whether promotive of the best interests of the Virginians or the contrary. He found in the House of Burgesses a resolute opponent, and from the threshold of his administration, this body threw itself across the path that he was pursuing with such a dogged determination to set up an absolute government at Jamestown. The tenacity with which the House had always clung to certain privileges had only served to whet the desire of the King and Privy Council to take those privileges away as far as practicable; and into this selfish policy, Effingham plunged without one scruple as to its injustice.

We have seen how obstinately the members of the Assembly had refused to give up their exclusive right of taxation, and how successful, in the long run, they had been in holding on to it. But, in 1683, the English Government again sought the destruction of that right. It had happened that, in 1662, the Assembly had permitted the Governor and Council to lay a special levy during a period of three years; and it was this

¹Lord Howard of Effingham became governor in 1684.

law that Effingham was ordered to have reenacted. The burgesses refused to discuss the proposed measure when it was first brought up, and were still more emphatic in repelling its second suggestion, though put in the specious form of saving public expense by making it unnecessary to call them together.

The Assembly had valued particularly its right to hear appeals from the General Court, but this was a right which had always acutely galled the King and Privy Council, for it was supposed to have increased the arrogance and independence of that body. Culpeper, acting upon instructions from England, had endeavored to deprive the members of this great function, but he had failed in the effort. Effingham, similarly prompted, did not fail; and the change which he effected could never be reversed by any influence which the colonists could employ. The importance of the Governor and Council was, in consequence, much enhanced, for they became thereby the supreme judicial body in Virginia. It was they too who had always appointed the occupants of the seats on the county benches; and as there was no longer an appeal above the heads of themselves, sitting as the General Court, the county magistrates were more than ever under the thumb of the executive administration at Jamestown.

The burgesses boldly petitioned Effingham to stop issuing proclamations in repeal of their acts unless their consent had been first obtained; and finding that the governor refused to transmit their remonstrance against his action to the Privy Council, they despatched Thomas Milner and William Sherwood to London to submit this remonstrance in person. The only reward of these distinguished men was to hear themselves described by that body as "unknown persons," and to be told on their return to Virginia that they had been deprived of the offices of profit which they had been filling.

It is a proof of the keen discontent now prevailing in the Colony, in consequence of these varied incidents, all looking one way, that Effingham grew apprehensive that the news of

Monmouth's rebellion, when it should become known to all in Virginia, would cause a popular uprising against King James, who had now succeeded to the English throne, without any disguise of his disloyalty to the Anglican Church. Roman Catholics were still regarded in the Colony as enemies of its welfare.

As if there were not already sufficient causes for dissatisfaction and murmuring among the people, Effingham, by the order of the English Government brought up the question of a more thorough collection of the quitrents, always a distasteful subject to the public mind. These rents, by the provisions of an act passed in 1662, were to be paid in tobacco valued at two pennies the pound; but a decline in the price of that commodity had made the retention of the original ratio destructive of the royal revenue from this source. In 1684, Effingham was ordered to have the act of 1662 repealed, and the ratio properly adjusted. The quitrents since the recall of the patent to Culpeper and Arlington many years before, had been applied to the support of the colonial government, and the English authorities now proposed that the evil consequences of the fluctuations in the value of tobacco should be removed by fixing the payments to be made thereafter at two shillings for each one hundred acres included in the area of a plantation. These two shillings, however, were to be delivered in the form of coin. This fact made the proposal impossible of enforcement, as there was not enough metallic currency of any kind in Virginia to settle the annual debt of each estate. The burgesses insisted upon this fact until Effingham consented to accept payment in tobacco at the rate of one penny the pound.

The law of 1680 providing for the erection of numerous ports was reenacted in 1685 at the suggestion of the English Government, and although an attempt was made, in spite of public opposition, to create these ports, the scheme, for the economic reasons already detailed, could not be fully carried out. Few warehouses were built at the designated places by

the indifferent planters, and the shipmasters continued to use the private wharves on the several rivers.

The passage of this bill was the cause of a violent wrangle between Effingham and the burgesses. Beverley, the clerk of the House, was accused by the governor of omitting from the bill as adopted an amendment offered by the upper chamber to the effect that certain fees were to be paid to the officers at the ports. This omission was not observed by Effingham when he signed the document, and his threat to veto the act failed to influence the burgesses to repair the error. On the contrary, they firmly stood by Beverley, although aware that the mistake had been one of design. The ultimate result of the controversy was the withdrawal from the Assembly of the right to elect their clerk; by royal order, the power to choose that officer was bestowed on the governor, whose servant and not the Assembly's, he now became; but the concession was made to the burgesses that their proceedings so far as they wished, should be held in secret.

These various successes caused Effingham to be more resolute than ever to push further the prerogatives of the King over the colonists, and to widen the scope of his own personal power. In a dispute with the Assembly in 1686, he threw Arthur Allen and John Smith, two men of high standing, out of their public offices, because they had refused to obey his direct command. Charles Scarborough, a magistrate, was also deposed for some trivial offense, and William Andrews clapped into jail and deprived of the right of the writ of Habeas Corpus for a considerable period, though numerous courts were in session at the time.

As the governor's conduct grew more arbitrary and arrogant, the opposition of the burgesses and the county officials of all grades to his acts sharply stiffened. His principal antagonist was Philip Ludwell, who showed his animosity by supporting a popular petition to the King which the governor had condemned as undutiful, and in offering destructive amendments to the bill for ports. Effingham endeavored to

win him over by appointing him to a lucrative collectorship of customs, but without success. Ludwell's flippant and sarcastic tongue, which had so often belittled Jeffreys, could not be turned away from the hide of his more vulnerable successor by honors or profits. He pricked him with his pointed wit indifferent to the consequences. In the end, the governor dropped him from the council, and refused to recognize his right to sit in the House, though legally elected to that body. The ground for this decision was that Ludwell was an evicted councillor, and, therefore, ineligible to any office. But as he continued to haunt the lobby of the Assembly, the power of this stormy petrel to harm his antagonist was not very much diminished.

The House was constantly exasperated by the governor's imposition of fees that fell heavily on the backs of the people, but filled his own pocket. The burgesses were particularly bitter against his patent fee, as they considered it a form of indirect taxation. They were also very much excited by his interpretation of the effect of a royal proclamation that annulled an act which had repealed a previous act. The governor asserted that the previous act was revived by the annulment of the act that repealed it, whereas the burgesses maintained with more reason that, if this view was correct, then every law that had been repealed, because barren of good, could be revived by a similar proclamation. So outraged became the Assembly that its members decided to forward a petition of grievances to the King, notwithstanding the fact that the council had refused to join in it; and this petition was actually delivered by Ludwell in 1688; but before James could weigh its contents, he was driven from the throne—an event that caused no regret in Virginia since his one measure of liberality, the Act of Toleration, was thought to be devised simply to encourage the Roman Catholics throughout his dominions. The correctness of this belief seemed to be proved by the admission of persons of that faith to the House of

Burgesses without requiring them to take the usual oath of allegiance and supremacy.

The news of the invasion of England by William raised a popular demand in Virginia for Effingham's expulsion, and this cry grew more insistent as the report spread that bands of papists and Iroquois were descending upon the planters from the north, and that a universal massacre of Protestants was impending. The accession of William and Mary to the throne created throughout the Colony as soon as known a sense of profound relief. The people acted as if a weight had been rolled away from their breasts; and they, like all other Englishmen, were justified in this feeling, for, although they did not recover the right to elect the clerk of the House of Burgesses, or to carry appeals to their General Assembly, they retained the exclusive right to tax, and were preserved from all further abuse of power by the throne.

Ludwell, as the representative of the Assembly in its opposition to Effingham, was graciously received by the Privy Council, and the most poignant evils of which the petition in his hands complained were removed. Every grievance was carefully and sensibly investigated. Although Ludwell failed to bring the governor to the bar of justice for his personal oppressions, that official, who was now in England, was ordered to remain there, and to send a deputy to occupy his old seat at Jamestown.

CHAPTER XXXII

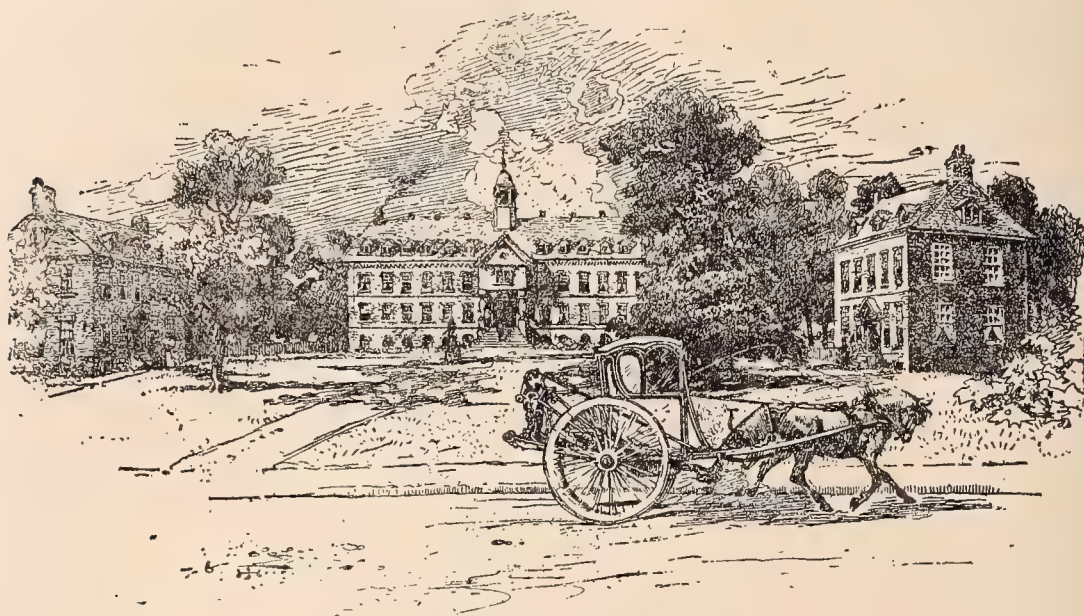
ADMINISTRATIONS OF NICHOLSON AND ANDROS

The new lieutenant-governor was Francis Nicholson,¹ who from the beginning of his administration, exhibited a most active and intelligent concern for the Colony's welfare. He showed consideration for the more or less malevolent wishes of Effingham, still governor-general, in one instance alone: he refused to summon the Assembly to meet at once, as he was convinced that, while heated, as they still were, against his predecessor, they would adopt intemperate resolutions in condemnation of his conduct and policies, which could now serve no useful purpose. In order to learn about the condition of the people at large by personal inspection, he undertook a tour of the plantations, and, in its course, he invited citizens of every rank to submit their views even while he was seated at his meals at table. He asked about their wants, and urged them to speak out as to what, in their opinion, would be best for the good of all. And this first progress from county to county he afterwards repeated each year during his tenure of office. By words of encouragement and valuable prizes, he quickened the popular taste for such athletic exercises as jumping, running, shooting, wrestling, and fencing; and by the same means he sought to improve the methods of tillage and to diversify the crops.

But his most conspicuous public service was his leading share in establishing the College of William and Mary. His principal coadjutor in this great work was Rev. James Blair, a Scotchman who had been recently appointed the Bishop of

¹Nathaniel Bacon, Sr., President of the Council, served as Lieut.-Governor in 1689. Nicholson arrived in 1690.

London's representative in Virginia, with the title of commissary. We have seen how solicitous the London Company was to found a university at Henricopolis, and how that project had been so completely thwarted by the massacre of 1622. When the population did not exceed twenty-five thousand in all, and the wealth of the community was still insignificant, it was proposed to erect by private subscription a college of the liberal arts, which would also supply, through its graduates



WILLIAM AND MARY COLLEGE IN 1723.

in theology, a large number of candidates for the holy orders in Virginia. The hour, however, was not yet ripe for such an institution; and the disorders of 1676 further diverted men's minds from such a project.

But the desire for a real school in their midst for the education of their sons never lost its hold on the hearts of the colonists—first, because the number of cultured Englishmen settling in Virginia was annually increasing; and secondly because the dangers of the wide ocean voyage naturally discouraged the entrance of many of its youths into the halls of the English universities. In July, 1690, Nicholson

announced that he was ready to receive the designs for the free school which had been so long needed. He, at the same time, appointed commissioners to collect subscriptions. By May, 1691, a board of trustees had been nominated, and a petition for a charter from the King and Queen drafted. This was to be submitted to the Privy Council by Blair in person, for whose expenses oversea a large sum was now appropriated. The subjects to be taught were to be Latin, Greek, mathematics, philosophy, and divinity, and the teachers were to be three in number—a schoolmaster, an usher, and a writing master.

By December, 1691, two thousand pounds sterling had been subscribed in Virginia for the erection of the college, and large bodies of land in different parts of the Colony had been conveyed to its use. The English Government too granted it very considerable sums of money from the treasury of the auditor-general in London, and from the fund of the quitrents in Virginia, the penny-tax on the exports of tobacco to the sister colonies, and the duty on furs. Its income was further increased by the fees from the appointment of surveyors, and by the acquisition of all escheated lands not otherwise disposed of.

In September, 1693, Blair, on his return from England, was able to place in Nicholson's hands a copy of the charter, which bore the date of February 8th, 1693; and he was granted by the Assembly two hundred and fifty pounds sterling as a reward for his energy and fidelity in obtaining it. Middle Plantation was, after a long discussion, selected as the site of the college because it was a salubrious spot and near the center of population. By 1697, the buildings were so far completed that the doors of the grammar school were thrown open to pupils. Among the gifts made by benevolent persons for its benefit was a large sum from Robert Boyle, which was to be invested in the purchase of Brafferton Manor in Yorkshire, and the income, after certain reservations, used in christianizing and educating nine or ten Indian boys. Henry



HON. ROBERT BOYLE

Hartwell, a distinguished lawyer, also endowed it with fifty pounds sterling. Blair was the first to fill the office of President. His salary was one hundred and fifty pounds sterling annually, five times the amount received by Mungo Inglis, the first school-master, and six times the amount received by Mullikin, the usher, the only other officers associated with him. The college was empowered to return a burgess to the General Assembly.

In the spring of 1699, the burgesses adjourned to be present at the exercises that were held there on May Day. "The most proper place for you," exclaimed Nicholson in suggesting this, "is his Majesty's College of William and Mary, where you may not only be eye witnesses of one of his Majesty's bounties and royal favors to Virginia, but also judges of the improvement of your youth in learning and education." The burgesses, with equal stateliness, replied, "that it was an unspeakable blessing to have their children brought up in so fair a way of being rescued from barbarous ignorance." The celebration was attended by people from places as remote as Pennsylvania and New York; and the planters in Virginia came thither in their coaches, on horseback, or in sloops.

Nicholson was also deeply interested in every influence that would improve the religious condition of the people. On several occasions, he gave the fees payable to him in certain counties from marriage and tavern licenses, to make up a fund for the support of readerships in impoverished parishes; he contributed to the cost of erecting new churches; he enforced with great strictness the laws for the preservation of the Sabbath; and he maintained out of his private purse the new clergymen from England until they could secure benefices in the Colony. Especially solicitous was he that the General Assembly should Christianize the slaves recently arrived by ship from Africa. But the members of that body were incredulous as to the ripeness of these poor creatures for such pious lessons. "The gross bestiality and rudeness of their manners," said they in reply, "the variety and strange-

ness of their language, and the weakness and shallowness of their minds, make it practically impossible to teach them even the rudiments of the Christian religion. It is only those born in the country and brought in contact with the family life of the plantations who could be reached, and everything was done by their owners to improve their disposition and manners."

Nicholson and Blair were not always on a friendly footing with each other, owing to their rival claims to priority in ecclesiastical matters. Nicholson uncompromisingly asserted that he alone was the representative of the King and the Bishop of London alike; and this claim was apparently justified by a statute passed as early as 1643; but, in reality, at that time, no commissary was in existence, and, therefore, there was no one to dispute the supremacy of the governors in the affairs of the church.

Liberal as Nicholson was, he sometimes grew exacting in his attitude towards the Quakers. They were ordered to announce the arrival of any emissary, should one be sent to them—which seemed improbable—by the Indians or French, who were now suspected, without much ground, of an intention to invade the Colony. This injunction at least reveals the smallness of the public confidence in that sect's patriotic loyalty.

He endeavored in vain to persuade the General Assembly to build an official residence for the governors. That body shrank from the additional taxation which its erection would make necessary; nor did they think that these officials themselves were ever likely to desire to be so conspicuously housed inasmuch as the demands of hospitality which would follow would reduce the salary of the position to the vanishing point. This salary did not now exceed one thousand pounds sterling, which was just one-half of the amount that Effingham had been paid. Nicholson always exhibited a generous spirit in the employment of this small remuneration. He was not greedy and parsimonious like his two predecessors, and would have cheerfully spent his last pound in entertaining

the public, if he had been occupying an official palace, with room enough for popular receptions.

He was not only of a generous temper, but also of a spirit at once cool and gallant. This he exhibited again and again in his efforts to capture or drive off the pirates who then prowled along the Atlantic coast. At this time, there was little difference between the pirate and the privateer. Many privateers did not hesitate to rifle any merchant-vessel that passed across their bows. So enormous was the quantity of plate, coin, precious stones, silks, and costly clothes, often captured by these sea-wolves that Nicholson was afraid at times lest the news of its richness would so far demoralize the Virginians as to induce many to follow in the same lawless tracks. The cupidity of some of the colonists was frequently so much excited that, receiving the buccaneers with an eager, outstretched hand when they came on shore, they would acquire the goods which the desperadoes had brought along with them by offering them articles of food in return. "They carry money into the country," was a complacent saying that was now often heard among the people. Most of the guardships were too poorly equipped and manned to overawe these sinister strangers when they appeared off the coast.

When Nicholson's first administration came to an end, he was succeeded by Andros,² who had acquired a somewhat unsavory reputation while serving in the same office in the northern colonies. It happened, however, that he had aided the Virginians by his support of an important petition which they had submitted on one occasion for supplies; but the popularity which this fact gave him with them at the start steadily fell away as his tenure of his post grew in length. This decline, however, was apparently brought about entirely by the faithfulness with which he carried out the instructions of the English Government for the more rigid enforcement of the Acts of Navigation. He always exhibited extraordinary

²Andros' commission is dated 1692, but Nicholson apparently was not transferred to Maryland until 1694.

care in preserving the records intact. A fire in the house next to the capitol having jeopardized the existence of the documents stored in the latter building, the people, who were present in large numbers—it being a court day—rushed inside and tumbled the papers out pell mell. Andros had them scrupulously assorted, listed, and bound. Such of the documents as were becoming illegible from age were ordered by him to be recopied; and all were placed in a safer place of custody.

He was keenly interested in the agricultural products of the Colony, and he endeavored to extend the tillage to the cotton plant, which he found grew prosperously in the soil along the Carolina border. He was so active in encouraging domestic manufactures of all sorts that he brought upon himself a severe rebuke from the Board of Trade for thus diverting a valuable trade from the English merchants. Like his predecessor, Nicholson, he soon locked horns with Commissary Blair over the scope of the governor's ecclesiastical powers; and Blair grew so offensive in the controversy that he was suspended from his seat in the council. But he retaliated by aspersing Andros as an enemy of religion and education alike; and he was shrewd enough also to destroy by private letters the influence of the agents despatched to England by the governor to relate his grievances against the commissary to the Archbishop of Canterbury and the Bishop of London. Subsequently taking advantage of some small excuse, Andros suspended him for the second time,—for he had been readmitted by the King's order, but Blair again was able to find admission through his personal weight with the English Government.

Andros exhibited a practical interest in the advancement of religion. He gave communion plate to some of the churches and supplied others with clergymen, who, while idle, had been supported by his purse. He urged the General Assembly to furnish them with a more lucrative salary; and it was due to his persuasion that, in 1695, this body fixed the amount for the incumbent of each pulpit at 13,333 1-3 pounds of tobacco. Owing to his dislike of Blair, he was not at first friendly to

the College, but apparently later on saw that the institution was properly supported; and he took judicious steps to restore the more important fortifications and replace their guns on new platforms. He instructed all the authorities in Virginia to assist Peter Heyman, the deputy of Thomas Neal, the patentee of the new postoffice, in putting the service under way in Virginia. In 1701, Heyman was succeeded by Richard Lee in this position.

CHAPTER XXXIII

SECOND ADMINISTRATION OF NICHOLSON

In 1698, Nicholson succeeded Andros, after serving as governor of Maryland. His second administration was less acceptable than his first, owing to certain extravagances which now clouded his conduct. His attitude, for instance, towards a daughter of the younger Lewis Burwell, whom he pursued with attentions in spite of the protests and rebuffs of herself and her family, was, if the story of the affair which has come down to us be really true, the attitude of a crazy fool or an unrepresible cad. This was not the first time in history, however, that the mind and manners of a sensible man were distorted by an obsession for a charming woman.

He seems to have also fallen out with the majority of his council; but in this course he appears to have been more justified than he was in his noisy and violent suit for Miss Burwell's hand. This majority intemperately accused him of a long roll of delinquencies—that he had raised thorns between the Upper and the Lower House, and had even sworn that he would kill any member of either body who ran athwart his wishes; that he called the councillors “dogs,” “rascals,” “cowards,” and “rogues;” that, in the General Court, he abused the lawyers at the bar and threatened his fellow-judges when they differed from him in opinion; that he held the sessions of that court at inconvenient hours, and packed the grand juries; that he listened to dangerous tattlers and blasted the reputations of all who opposed him; that he insulted his subordinates, and, on one occasion, even seized the attorney-general by the collar; that he struck some of the first gentlemen in the country, and

bespattered others with opprobrious epithets; that he threw men into prison arbitrarily, and publicly stated that his commands were the law of the country; that he broke into profane oaths even though he had just come from prayers; and that he was also lewd in his relations with women.

In short, there was not a social outrage, not a moral impropriety, of which Nicholson, according to these members of the council, had not been guilty.

Were these charges well-grounded? Ordinarily, councillors were more disposed to attribute imaginary virtues than imaginary sins to the head of their board, since their pecuniary interests prompted them in the first direction and not in the second. As these particular councillors, therefore, had nothing to gain by their reflections on the governor's conduct, beyond possibly a gratification of personal prejudice, they must at least be credited with some measure of sincerity in their aspersions.

But there was one very important body in the Colony who looked upon Nicholson with as much approval as the majority of the council looked upon him with disapproval. This was the clergy, who stood firmly by him in the course of his revived feud with Blair over the subject of the annual appointment of the ministers by the vestries instead of their permanent induction, as in England. There were special reasons why the custom which had sprung up in the Colony should continue to prevail, and Blair undoubtedly was right in his conclusion that it was best that the clergymen in Virginia should not acquire a title for life to their benefices; but, in taking the opposite view, Nicholson bravely incurred a large measure of popular obloquy, although from the standpoint of the Anglican Church, he was perfectly right. Blair accused him, on this account, of being neglectful of the interests of religion. This, the clergymen, in a letter to the Archbishop of Canterbury, earnestly combatted. "With the exception of the King," they wrote, "Governor Nicholson is the greatest support of the Church in America." They indignantly denied Blair's asser-

tion that "there was not a clergyman on the continent who would not swear in favor of Nicholson for five pounds sterling;" and they boldly referred to the commissary as "lying under the scandal of being a perjured person."

The House of Burgesses was as little in sympathy with the councillors' aspersions as the clergy. Governor Nicholson, this body declared, had a great respect for the welfare and prosperity of the country, and no complaints against him from the people at large had been heard to justify the reflections which had been cast upon him. The House also pointed out as a significant fact that four members of the council had positively refused to countenance the attack launched by their associates. The burgesses declined to forward the petition of the hostile six,—one of whom was a direct descendant of the the restless and unscrupulous Ludwell of the previous era,—to the Queen as requested, unless accompanied by a statement from the House in denial of the justness of the accusations. Blair was, at this time, in England, and he sought to undermine Nicholson with the government there by submitting a list of charges against his conduct; but this document was transmitted at once by the Board of Trade and Plantations to the governor, who replied to it with his characteristic outspoken spirit. One of these charges was that he displayed no interest in the College's welfare. This, if true, would have been grossly inconsistent with his habitual course during his previous administration.

Inglis, the head-master, turned the tables on Blair, in 1703, by twitting him with accepting an annual salary of one hundred and fifty pounds sterling from an impoverished grammar school, which, for the same sum, could have secured the services of the six masters intended at the start. As it was, there was now a prospect that even the master, usher, and writing-master would have to be discarded.

In 1705, the commanders of the ships trading with Virginia, sixty-five in all, came forward voluntarily to testify to the vigilance of Nicholson's administration. "By his prudent and

careful management in continuing the embargos from time to time," they said, "and by the pains, trouble, and expense he has been at to aid them in loading or getting ready to sail, and further by his judicious use of the guardship for their protection, he had benefited the interests of the King, the people, and the merchants alike."

Nicholson was a man capable of entertaining the broad and comprehensive views of a true statesman. This was demonstrated by the plan that he drafted for the confederation of all the colonies, which, like each of the modern overseas dominions of Great Britain, was to be governed by a viceroy, who should owe his appointment to the crown. Nor was it any presumption in him that he should aspire to this exalted office, should it be created, for, in every position which he had held, he had expressed enlightened opinions and acted with a disinterested spirit. It is not beyond the range of possibility that, had a vice-royalty been established, the Revolution would not have occurred, and all the Anglo-Saxon countries would be today politically united.

Nicholson took the principal part in the removal of the seat of government from Jamestown to Middle Plantation. He foresaw the advantage to the Colony of erecting the capital in its immediate vicinity. "It would be a greater kindness to it," he said, "than if some one had presented it with two thousand pounds sterling." He suggested that the new town should be laid off in the shape of a cypher, which would represent the letters W and M; but this was found to be impracticable. It received the name of Williamsburg; and here a brick capitol and a brick prison were afterwards erected. Nicholson was in favor of giving a military training to all male indentured servants; but now, as formerly, the Assembly opposed the suggestion, on the ground that it would interfere with the labors of that class in the field; and besides, they added, it would put arms in the hands of some,—like the transported Irish rebels, for instance,—who might persuade the whole body to rise in revolt, especially at the crisis of a foreign invasion.

The governor regularly attended every great muster held in any part of the Colony; and he required that all disputes among the officers should be referred to him for settlement. He visited from time to time the different fortifications and was watchful that they should not be allowed to fall out of repair.

We have seen how generous he proved himself to be, during his first administration, in supporting clergymen who had not yet obtained pulpits, and in contributing to the endowment of readerships in large parishes. He exhibited the same practical interest in the numerous schools and schoolmasters. No teacher was permitted by him to give lessons unless he could show a license. He proposed at one time to purchase the old court-house at Jamestown, and after restoring it at his own expense, to convert it into a school for the use of the people residing in that part of the Colony. He offered to increase from his own income the salary of every church leader in Lower Norfolk County who would add to his duties as such on Sundays the functions of an instructor in ordinary learning during the week. Other instances of his liberality in encouraging schoolmasters have been recorded.

Equally enlightened was his conduct towards the dissenters. In 1699, he informed Mackemie, the founder of Presbyterianism in Virginia, that not a single right of his sect should be abridged. He was impatient of the loose methods of pleading which were employed in the courts, and he endeavored to introduce in them the procedure which, at this time, prevailed in the English tribunals of justice. When a new court-house became necessary for York County, he subscribed an amount equal to one hundred and twenty-five dollars in our modern currency for its erection. There was no more persistent advocate of the establishment of an admiralty court in Virginia than he,—a court now imperatively called for by the expansion in the colonial trade.

Nicholson never slackened in his determination to suppress the pirates who endangered the coast. In 1699, the *Shoreham*

guardship arrived and its captain was ordered to begin at once the patrol of the adjacent waters. In April of the succeeding year, an outlaw vessel named ironically *La Paix*, which had crept into the Chesapeake after nightfall, dropped anchor in Lynnhaven Bay. She carried twenty guns on her deck and thirty-two barrels of powder in her hold. The captain of the *Shoreham*, learning of her presence, set sail for Lynnhaven; but before he could reach it, darkness came on and he stopped his ship until the ensuing morning. In the meanwhile, he had taken Nicholson on board. At dawn, he found himself in the presence of the enemy, who had not attempted to retreat out to sea. The battle that now began continued until three in the afternoon, and during all that time the two ships lay in pistol shot of each other. In vain the pirate commander manoeuvred to get to windward. His vessel staggered under broadside after broadside until her masts, yards, sails, and rigging, were shot away, several of her guns were knocked off their carriages, and her hull rent and splintered. So hot, indeed, was the bombardment that her crew were forced to take refuge in the hold; and the ship, being now without a pilot, drifted into shallow water. Its ensign was then run down, and on the *Shoreham* ceasing to fire, a messenger was sent on board by the pirates, with the announcement that they intended to blow up their vessel should they obtain no assurance of quarter; but, finally, they gave themselves up on the receipt of a promise from Nicholson that their case would be referred to the King. One hundred and ten men surrendered. Ten of these afterwards died in Virginia; three were detained for trial, convicted, and hung; while the remainder were transported in shackles to England. Only one person on board of the *Shoreham* perished in the fight. This was Peter Heyman, the collector of customs for the Lower James River district.

The first organized band of Huguenots to find homes in Virginia arrived in 1700. They had emigrated from England under the patronage of King William, the great champion of

the Protestant cause in that age, and were led by the Marquis de la Luce and their pastor, Richbourg. The second band came out under the guidance of their pastor, De Joux, who was the real founder of the permanent settlement on the upper James. A third and fourth band followed. This was under the guidance of Louis Latané. There were about one thousand persons in the four companies, and their removal had been made possible by the pecuniary generosity of the King and the Protestant Relief Association.

A large area of land above the Falls, which had been occupied by the Monacan Indians, was assigned to about five hundred of these immigrants divided into families; a separate parish was laid off for their convenience; and for a definite period, they were exempted from taxation. Each householder received a tract of one hundred and thirty-three acres. All for a time resided together in a village, which contained, in addition to the dwelling houses, a church, a parsonage, and a school building. As the danger of Indian attack lessened, the people dispersed to their several farms. From the start, they were employed in breeding cattle, making wine, planting maize, and manufacturing cloth. Gradually, the little estates increased in number, the herds and flocks grew in size, and slaves were acquired; but as late as 1728 many of the people continued to speak only the French language. Some of the most distinguished families in the history of Virginia were sprung from this religious, gallant, and most intelligent stock of people.

CHAPTER XXXIV

ECONOMIC AND SOCIAL CONDITIONS

We have now arrived at the end of the seventeenth century, and it will be appropriate to pause here in the course of our narrative to describe the economic, the institutional, and the social conditions which characterized the life of the Colony during that long period. The conditions that prevailed from the close of this period down to the middle of the eighteenth century were in spirit at least the same, varied only by the changes that followed gradually from the growth of population, both white and black, free and slave, and from the expansion of the area which had been brought under settlement and cultivation. The Colony of Virginia had, by the time of Spotswood's appointment to the lieutenant-governorship, assumed all the solid aspects of a long established country. The modern period of its history begins with this appointment. It is our intention now to limit our view to the general phases that we have just named of that earlier era, which, though so much like the one that succeeded, was nevertheless distinct enough to justify a separate treatment.

Throughout the seventeenth century, the entire system of the Virginian life rested, not upon a civil division,—the township as in New England, but on an economic division,—the plantation. The community was simply a series of plantations, with the production of tobacco and maize as practically the only agricultural employments. The frontier was in the course of constant enlargement by the acquisition of patents to specified areas hitherto unoccupied. There were two conditions on which the public lands were conveyed to individuals; first, the performance of such public services as were

thought to be worthy of some reward. This was most common in the time of the Company. Second, the importation of some person, who might be the patentee himself, into the Colony. This was known as the "headright," which gave the practical assurance that the appropriation of the soil would not outstrip the growth in population. No limit was set to the number of acres that might be acquired under the operation of this right. Two prerequisites had to be observed by the patentee to avoid a forfeiture: first, the plantation had to be seated; second, a quitrent had to be paid to the King.

There were two classes of laborers employed by the planters to bring their new lands under cultivation: white servants, bound by indentures for a term of years, and African slaves. The first class, by its superior numbers and intelligence, was the most important of the two previous to 1700. The ranks of the white servants were swelled, on the one hand, by the harsh laws then prevailing in England relative to all classes of agricultural laborers, which naturally raised in them a disposition to emigrate; and on the other, by the demand for additional hands in the tobacco fields of Virginia. The only thing in the Colony that was said to be dear was labor, and this fact continued to be observable throughout the century, owing to the constant opening up of new landed estates.

Some of these servants were transported criminals, but it is doubtful whether a single convict was imported during this century whose case when tried in the English courts had not been marked by circumstances in mitigation of its heinousness. A large number of the so-called convicts were simply patriotic men who had taken part in various rebellious enterprises in England or Ireland. An important proportion of the servants were youths or adults who had been "spirited away" to the Colony from the English towns by felonious means. But the great bulk had been sent over by the agents of English merchants, like so many bales of goods, for exchange for the principal commodity of the country, namely, tobacco. Their labor, however, could only be disposed of for

a definite period, after which the man or woman became as free as the wealthiest planter in the community.

The limitation of the period of service by indenture diminished the value of the white servant, since his place had to be constantly supplied. It was this fact principally which led to the importation of negro bondsmen, which began, as we have seen, as early as 1619. As the slave's term was for life, there was no need of solicitude as to how his shoes were to be filled. When he died, he generally left behind him a family of children, who belonged to his master. In physical strength, he was the equal of the white laborer of the same age; and in power of endurance, he was the superior. He was more easily controlled also; nor was he subject to seasoning,—a cause of much loss of time in connection with the raw white laborers; and as his term never ended, he could not demand the grain and clothing which, by the custom of the country, were allowed the white servants on the expiration of their indentures.

Having procured all the laborers whom he required, whether white or black, what were the crops which the patentee strove to cultivate? During the first years following the foundation of Jamestown, there were spasmodic efforts to produce a considerable variety of commodities,—cotton was experimented with, hemp and flax, mulberry trees for silk, and vines for wines. Wheat also was sown in small quantities down to the end of the century. But the really profitable crops were soon narrowed down to maize and tobacco. Tobacco was the principal one. It was to the Colony what the potato has been to Ireland, the coffee berry to Brazil, the grape to France, and corn to Egypt; but it was something more, for it was in universal use as the currency in which all debts, from the public taxes to the grave-digger's bill, were paid.

Virginia, having a direct trade with the mother country in a commodity always in demand there,—a demand that assured the colonists an abundance of manufactured supplies—was deprived of one of the strongest motives in which local manu-

factures have their origin. But while Virginia was not in the modern sense a seat of manufactures, it would be inaccurate to say, as we have previously shown, that domestic manufactures in the ruder forms were unknown. There were few homes in the Colony, indeed, which did not contain a spinning wheel or a weaver's frame; there were no important plantations which did not number among its white servants or its slaves skillful carpenters, blacksmiths, saddlers, masons, and bricklayers.

When we come to examine the social framework of the community, we find it much more complex than the economic. This was due to the existence there of several distinct social classes. There were first the African slaves, who stood on the lowest footing; next, the indentured white servants; next, the yeomen; and finally, and most important of all, the large landowners. It was from the class of white servants that the ranks of the small landowners were recruited chiefly. Many of the men who began in this humble way accumulated, after the close of their terms, good estates, exercised wide influence, and even filled profitable offices. There is, indeed, reason to think that some of the agricultural servants were of highly respectable social beginnings, and that some had simply bound themselves out in order to learn the art of tobacco culture.

What was the origin of the higher planting class? By the end of the century, a large number of the conspicuous members of the landed gentry had been born in the country. But from 1618 down to 1700, not a year went by that this class did not receive accessions from England of men of equal social standing, and almost equal means, if not actual, prospective. These men had been prompted to emigrate by that restless and enterprising spirit of the English people which has made them the greatest colonizers of modern times, and also by the narrow chances of fortune in that age in their native land even for men of influential family connections. There were particular reasons why Virginia should appeal to the English gentry of that day,—it was firmly loyal to the monarchy; its

church establishment was modeled precisely upon that of the mother country; the entire power of Virginian society, even in the period of manhood suffrage, was possessed and directed by the landed proprietors. Hardly less seductive was the appeal which the Colony made to the sons of the merchants who were engaged in the tobacco trade.

All the immemorial social distinctions of England took root in Virginia at once, as if the population of some English county had been moved bodily oversea. There was no desire to leave the old customs and privileges behind. Proofs of social divisions, though not fixed by law, were as conspicuous to the Englishman after his arrival in the Colony as if he had passed, not across the ocean, but from one English shire into another.

The Virginians clung with tenacity to the habits and customs, the moral ideas and standards, which prevailed in the mother country. Members of all classes spoke of England as "home." Even persons born in Virginia, who had never seen and never expected to see their ancestral land, always designated it by that loving word. Devotion to that land was disclosed in their uninterrupted communication with their English kinsmen by letter or verbal messages through the sea-captains; in constant exchanges of gifts testifying to mutual interest, affection, and esteem; in numerous bequests to English charities; in the education of some of their children in English schools; and in the naming of their plantation mansions after the ancestral seats overseas.

As early as 1675, the general community had been established long enough for its principal residences, in their outer and inner aspect alike, to have acquired some of the dignity distinguishing the ancient English manor-houses, and in their intimate domestic annals much of that charm which was thrown around the society of England in that age by ease of fortune, refined manners, wide culture, and the amenities springing from the closest bonds of friendship and kinship.

The homes of the wealthy planters contained, in the way of halls, dining-rooms and chambers, ample space for the most



UPPER BRANDON



LOWER BRANDON

generous entertainment of guests as well as for the comfortable accommodation of the regular inmates. The different apartments were furnished and ornamented after the most substantial and attractive patterns afforded by England. There was every variety of handsome bed, couch, chair, and table. The floors were covered with carpets, the windows shaded by linen curtains, the chimneys hung with printed cottons, the bed-frames adorned with gaily colored valences, the walls, in some cases, hung with tapestry, and in all, lined above the floor with paneling. In some, however, numerous portraits, in others, collections of books, were to be seen. Open cupboards offered a shining array of both pewter and silver. In every drawing-room, there were to be found musical instruments, such as the virginal, the hand-lyre, fiddle, violin, flute, recorder, and haut-boy. The wardrobes of men and women alike contained clothes of the latest English fashions.

The tables were loaded with a most varied abundance of food. The herds of cattle supplied an inexhaustible quantity of milk, butter, cheese, veal, and beef, while the hams were pronounced by travelers to be equal in flavor to those of Westphalia. Deer, sheep, poultry, partridges, wild turkeys, wild pigeons, and wild geese, supplemented the heavier meats in every larder. Perch, bass, shad, pike, and sheepshead were to be caught almost at the very door, while oysters and other shell fish could be raked up by the bushel from the bottom of the nearest inlet. Peaches, plums, and apples were produced in every orchard, and figs and grapes in every garden. Sloes, scuppernongs, pawpaws and wild strawberries were to be found in the woods and deserted fields. Pumpkins, peas, potatoes, artichokes, onions, cymblins, watermelons,—all were cultivated in profusion. Every table was supplied with home-brewed beer and cider. The finest foreign wines,—claret, Fayal, Madeira, and Rhenish,—could be purchased in every tavern.

In 1675, negroes had become sufficiently numerous to furnish all the principal households with trained servants for life.

The spirit of hospitality was further encouraged by the facilities for getting about from residence to residence afforded by sail or row boats. The traveller was received everywhere with distinction. He had but to inquire of anyone whom he met in the public road the shortest way to the nearest gentleman's seat.¹

What were the popular diversions? Very free drinking in private and public was certainly one of those which were most favored. Whenever a little company of citizens gathered together, whether as appraisers to value an estate, or as commissioners to pass upon a new bridge, or as county justices to hear causes, a liberal supply of spirits was kept near at hand to quench their thirst. As we have seen, there were numerous musical instruments to be observed in the drawing-rooms. The skill of many of the servants and slaves in performing on the fiddle was often called into use at the entertainments in the private houses. There is some evidence of play-acting occurring under the same roof, which was natural enough after the Restoration, when the theatre had become in England a popular passion. The game of ninepins was played at all the taverns and in many of the private residences. Equally popular was the game of cards known as put. These games, as well as dice-throwing, led to much gambling. The betting was most active, however, at the horse-races, which formed the most popular of all open air amusements.

It was the habit of the Virginians of every class from their early youth to use the gun. Whether directed against wild game or the Indians, the aim of the shooters was amongst the surest in those times. There was an extraordinary variety and abundance of birds for the exhibition of quick sight and firm nerves. Though foxes were hunted, there is no surviving record of packs of trained hounds having been used in their pursuit. Hares were caught in large numbers by running them down or smoking them out of hollow trees; raccoons and

¹This is so stated by the historian, Beverley.

opossums were tracked at night in the forests; and bears and panthers were shot in the older parts of the Colony as late as 1683. Wolf-driving was, in some of the counties, an annual recreation, while in all, capturing wild horses furnished a profitable pastime. Another popular sport was fishing, chiefly with the rod, but seines and cast and stationary nets, as well as gill lines, were in common use.



CARTER'S GROVE

Much diversion was derived by the people from such public or semi-public occasions as the funeral, the wedding, the services at church, and the assemblages on court and muster days. Extraordinary provision was made at the funerals for the people in attendance. At one occurring in 1667, it required twenty-two gallons of cider, twenty-four of beer, and five of brandy to assuage the mourners' thirst. A whole ox and a half dozen sheep were not infrequently roasted to satisfy their hunger. The wedding was marked by a gayety that was both prolonged and extravagant. Most of the guests had to come from distant plantations, and were in no humor to shorten

the festivities. From the remotest corners of the country, the people gathered at the musters, some tramping thither on foot, some perhaps traveling in carts and rude carriages, but the greater number riding on horseback, with their wives and daughters perched up behind them on pillions.

A free enjoyment of horse-play was characteristic of the day on which the monthly court convened. It was always enlivened by drunken bouts, which were not entirely confined to the lowest class of the population present. This fact was so well known that discontented indentured servants very often took advantage of the relaxed vigilance of that hour to make their preparations for flight. The holding of services in the parish church gave rise to an hour that was as remarkable for its social as for its religious aspects. In this edifice all the free people of the parish were required by law to assemble every Sunday morning. Before and after the services, they had a full opportunity to mingle in the closest social intercourse. For the time being, the edifice and its surroundings were the center of overflowing life.

CHAPTER XXXV

INSTITUTIONAL CONDITIONS

The parish was the local unit in the administration of the religious concerns of the community. Such a unit was often spread over so wide an area as to give rise to the complaint that the services in its church were neglected. In 1661, there were fifty parishes in Virginia, but, through consolidation, they had, by 1700, fallen off to forty-nine, in spite of the fact that the frontier had been pressed out so far on all sides. The management of each parish's affairs was in the hands of a body known as the vestry, which was composed of the first men of the community. Chosen by the people, they were truly representative of the people, except during the period of Berkeley's autocracy. They elected the clergymen, laid the parish levy to meet the parochial charges, presented all persons who followed a profane and ungodly life, or slighted their religious duties; kept the church edifice in repair; provided for orphans; and called attention to every case of bastardy or extreme poverty. Their principal agents were the church-wardens, who were chosen from among their own number, and who, in turn, were assisted by two officers known as sidesmen.

The first religious services held in Virginia were held at Jamestown under a sail cloth. The first church was built of roughly hewn plank or unhewn logs, in the shape of a barn, and its roof was made up of rafts, sedge, and dirt. The whole structure rested on crotchets. The majority of the edifices were constructed of wood; but there were a few made of brick. All had been erected by means of a parish levy or private donations. The plate and ornaments belonging to many of the congregations were both handsome and costly, and, as a rule,

had been the gifts of wealthy communicants. The church building was situated at some convenient spot; and near it a graveyard had been laid off.

So far as known, not a clergyman of the seventeenth century was a native of Virginia. Most of them had been born in England; a few in Scotland. The demand for ministers of



BRUTON PARISH CHURCH, WILLIAMSBURG. BUILT IN 1710

the Gospel was never fully met,—in 1650, a reward was offered by the Assembly to every ship-master who would bring over a clergyman; at times, a special messenger was sent to England to obtain incumbents for the vacant pulpits; or they were procured by earnest letters addressed to the Bishop of London. Parishes were often supplied by deacons. The commissary who represented the Bishop towards the end of the century could neither ordain nor confirm,—his duty was confined to visitations and making recommendations. The right of selec-

tion and presentation asserted and enforced by the vestries was formally confirmed by an Act of Assembly in 1643. They next usurped the right to appoint the clergymen from year to year; a step that made the occupants of the pulpits dependent on the good will of their congregations and thus indirectly assured their good behavior.

In 1623, the salary of an incumbent consisted of ten pounds of tobacco and a bushel of corn for every tithable in his parish. His remuneration fluctuated with the rise and fall in the value of each of these commodities. By 1695, the amount had been fixed at sixteen thousand pounds,—a sum that ranged in purchasing power from eighty to one hundred pounds sterling,—and in addition, he was granted the use of a glebe and a rectory. Some of the clergy were in possession of good estates, either by inheritance or through their own providence,—the inventory of Rev. Thomas Teakle, for instance, fell little short of fifty thousand dollars in modern values. In character, the clergy did not sink below the standard of conscientiousness observed in the same class in England; and as a rule, they were graduates of English universities, and of excellent social connections in their native country.

Severe penalties were imposed for a denial of the existence of the Deity or of the Trinity, or for the assertion that the Christian religion was not of divine origin. Atheism was less frequently noted than the belief in witchcraft; but the Colony's annals were not stained by bloodshed, as in Massachusetts, in the suppression of sorcery. The harshest punishment was a flogging or a ducking.¹

Popular instruction in the modern sense did not, owing to the dispersal of the plantations, take root in Virginia; its communities, however, were not lacking in a public school here and there; and there were numerous private schools. Some of the wealthy citizens sent their youthful sons and daughters

¹Such was the sentence passed upon Grace Sherwood, the most famous "witch" in the history of Colonial Virginia. The scene of her punishment in Princess Ann County is still known as "Witch Duck."

overseas for an education, but the risks of the voyage, the length of the separation, and the fear of sickness during the absence, made it seem to most parents preferable to look for the desired instruction in the Colony. When the planter's family was a large one, the tutor employed by him was entirely occupied with the teaching of his children alone, but in many cases the neighbors' children participated in the lessons. Most of these domestic tutors were natives of England; a few were Huguenots; and, occasionally, they were servants under indenture who had acquired a respectable culture. The children, after leaving the private tutor, sought instruction of a higher grade in the old field school which usually occupied a central site in the neighborhood. The teacher here was generally the incumbent of the nearest pulpit,—a man who had been trained in one of the foremost English universities. The next step, towards the end of the century, was to matriculate in the College of William and Mary.

An endowed free school was established by Benjamin Symmes about 1634-5, the earliest in the history of America; and his example was followed by Thomas Eaton. These two schools, which enjoyed a good income, were subject to the supervision of the most experienced men in their several communities. There were at least five other similar schools in different parts of Virginia. The existence of these seven free foundations was a complete refutation of Berkeley's groundless and senseless assertion that the Colony possessed no schools of that character.

Previous to 1680, there does not seem to have been a single printing press in Virginia, but in the course of that year, such a press was imported by John Buckner. The large number of volumes in the principal residences indicates that the planters were not indifferent to the recreation of reading. Their interest in books was revealed in the numerous gifts of special volumes which were recorded in their wills, and also by the very respectable collections so often listed in their inventories. These collections sometimes contained such a

number and variety of titles as would have made them private libraries of importance in any age. Not an inconsiderable proportion of the books were printed in the Latin or Greek language, and were copies of celebrated ancient classics. Many of the volumes related to the subjects of history, biography, and belles-lettres; others bore upon moral subjects; and others still on law or medicine, divinity or seamanship.

From the beginning, there was a determination to maintain both the spirit and the letter of the English law in Virginia. All laws adopted in the Colony in opposition to English common or statutory law had their origin in local convenience or economy. They were radically different only in a few cases. The Acts of Assembly were binding until formally annulled by the King or repealed by the body itself.

The courts that interpreted the law consisted of the Magistrate's Court, the Monthly or County Court, the General Court, and the General Assembly. In the enforcement of local justice, the county court was the most important of these tribunals. This court was instituted as early as 1618 before a single shire had been created. By that time, it had become inconvenient to try every case in the General Court. The justices were drawn from the body of the most respected citizens in the community, and owed their appointment to the governor of the Colony. Their number was generally limited to eight; no salary was paid to them; nor were there any perquisites of value growing out of their position. They were always jealous of the dignity of the bench,—permitted, for instance, no smoking of pipes or wearing of hats in the court-room, and punished severely any drunkenness exhibited in their official presence. The court-room was generally a large apartment well lighted at every season and well heated in winter, with a high platform for the seats of the judges and a balustrade to restrain the pressure of the spectators.

The jurisdiction of the court,—which was both civil and criminal,—extended over the ground covered by all the higher courts of England, whether in common law or chancery, with

the right of appeal to the General Court. The procedure followed in a general way the recognized English precedents, but is said to have disregarded "unnecessary impertinence of form or nicety," and avoided all the "trickery and foppery of the law." Besides the guidance of text-books and Acts of Assembly, the justices enjoyed the advice of trained attorneys, among whom the clerk of the court was not the least important. In 1645-6, the practicing lawyer was barred from the court-room, but in a few years he forced his way in again as indispensable, and was not afterwards subjected to expulsion. By 1680, the bar of the Colony possessed numerous members of ability and learning,—like William Sherwood and Arthur Spicer, for instance,—who were active in their profession alone, and who owned law libraries of great value.

In Virginia, the number of offenses punishable with death was so small as to be in striking contrast with the list of those so punishable in England, where three hundred led to the gallows. The simplest sentence was condemnation to the stocks; the next, to the ducking stool, reserved, as a rule, for witches and termagants; the next, to the lash. Some misdemeanors were expiated by the guilty person appearing in a white sheet in the church at the hour of service, or by kneeling in the presence of the court. Murderers and pirates were tried by special courts known as Courts of Oyer and Terminer.

The highest tribunal was the General Court, which convened at least four times each year. Its members embraced the governor and his council. The councillors belonged to the same wealthy and responsible class of planters as the justices of the county courts. While they did not pretend to be trained lawyers, they were nevertheless men of enlarged experience of life; were familiar with all the conditions prevailing in the Colony; and had already sat on the county bench. The proceedings were carried on without formal pleadings. The jurisdiction of this court was both original and appellate. The original jurisdiction was both civil and criminal,—civil where the amount involved in a case exceeded a certain high figure;

criminal where there had been a loss of life or limb. The appellate related to cases that had come up from the county courts, and these often pertained to a question of personal right. During Culpeper's term as governor, the right of appeal from the General Court to the General Assembly was taken away by the English Government, which desired to diminish the burghesses' importance. It was not until 1697-8 that an admiralty court was established. A separate court of chancery erected by Effingham was soon abolished.

The military system of the Colony was based altogether on a militia. The only corps in regular service was the rangers, which was a very small body. All male freemen in Virginia below a definite age were subjected to military training; in 1639, the indentured servants were also summoned to the muster field; but as the turbulent elements among them increased in number, it was decided to be unsafe to drill them. Moreover, the manoeuvres occurred at a season when the tobacco plant required the closest scrutiny, and at that time, the laborers could only be withdrawn from the fields at a heavy pecuniary loss. The negro slave was always exempted. In 1671, it was estimated that at least eight thousand horsemen might, by extraordinary exertions, be enrolled in the ranks; ten years later, this number is thought to have increased to fifteen thousand; but this last enumeration probably included the men then serving under indentures. In 1700, there were about eighteen thousand militiamen.

In the early history of the Colony, all the military officers seemed to have been appointed by the commanders or lieutenants of the counties; and the latter apparently supervised the drills also, besides acting as custodians of the supplies of arms and ammunition. After the Restoration, the country was divided into four military districts, each subject to the control of a major-general, assisted by two adjutants. In every county of each district, there was a regiment of foot commanded by a colonel and subordinate officers; and in some of the counties there was also a troop of horse. The governor

was the commander-in-chief. The arms relied on by the soldiers for attack or defense were snaphaunce pieces, matchlocks, muskets, pistols, petronels, swords, rapiers, and daggers. In the several counties, at a later period, there was a commissioner to furnish the shot and powder needed by its militia. This had been paid for by the county.

The muster was held on the holidays of Easter, Whitsun-



“THE CAPITOL AT WILLIAMSBURG”
(From an Old Painting in Richmond, Va.)

tide, and Christmas, should the weather be favorable; and in the interval, every captain of horse or foot was required to drill his troop or company at least once in the course of ninety days. At the end of the century, a general muster was held in each county once a year, while special musters were held at least four times. Most of the wars were waged with the Indians, and were fought in the woods without regard to the lessons of the ordinary drill; but there is reason to think that provision was made for special training in this peculiar kind of battle. The commonest of all aggressive military opera-

tions was known as the "march" against the savages. Such an expedition was organized by a group of counties entering into a military association, which was subject to the supervision of a council of war. The expense of each expedition was met by a special tax. The guns, shot, and powder, as well as the horses, saddles, meat, and bread, were impressed at current prices; and during the soldiers' absence, their fields of tobacco and maize were worked by the neighbors. Whenever the entire Colony was threatened with an Indian invasion, the General Assembly alone adopted the measures necessary for repelling it. Previous to 1680, the militia could be called out in such an invasion only by the governor's order; but afterwards the right was bestowed in an emergency on certain officers in each military district without first obtaining permission from Jamestown.

In the beginning, the first barrier raised against Indian attack was the palisade; but this in time was abandoned in favor of small forts placed at strategic points. From these forts, the expeditions started out; and thither they retreated in case of failure. They were, in dangerous times, always occupied by trained garrisons; but by 1682, the forts then in existence had been allowed to fall into disrepair and the companies of soldiers formerly holding them had been disbanded. In the place of the latter, companies of light troops known as rangers were organized by the General Assembly to patrol the frontiers. These soldiers were selected from the militia of the outlying counties, which were always the first to feel the Indian impact; and so soon as they detected a trace of the presence of the prowling foe, a messenger was despatched by them to the nearest military officer for immediate assistance.

The precautions to meet the assaults of a foreign foe were more costly but less effective. The defenses consisted of forts erected on the banks of the principal streams; and it was intended that each of them should be so eligibly situated that every ship in the neighboring waters could quickly find full protection under its guns. As the intervals of peace were

protracted in length, these fortifications were rarely in a state even of partial repair. Indeed, for many years the heavy ordnance belonging to them reposed in the contiguous sand, only to be lifted up to a new platform by some zealous governor, to remain there until this platform too had been allowed to rot. The forts at Point Comfort, Tyndall Point, and Jamestown, were the most important of all; and even they had a precarious existence, chiefly on account of the expense of maintaining them continuously. A more efficient instrument was the guardship, which was always stationed on the coast; but there were emergencies in which, as we have seen, this man-of-war offered no real resistance to the enemy.

The principal political officer of the Colony was the governor. In his absence, a deputy or lieutenant-governor or the President of the Council filled his seat and performed his duties. As a rule, his term continued until his successor was appointed, and this might occur after a short or after a long incumbency of the position. His powers were precisely defined by the clauses of his commission, and always covered a broad ground. During the seventeenth century, there was no single mansion occupied by each governor in turn. Berkeley resided at Green Spring, while his successors passed their time in the homes of wealthy planters, or in lodgings in Jamestown, for the rent of which, one hundred and fifty pounds sterling was annually allowed. At first, the salary attached to the office did not exceed one thousand pounds sterling; but that sum, as we have already stated elsewhere, was subsequently increased to two thousand pounds; and this was sometimes supplemented by special gifts from the Assembly. Only one-half of this sum, however, ever reached the pocket of a deputy or lieutenant-governor.

The governor was assisted by a council composed of the most prominent citizens of the Colony, who eagerly accepted a seat in this body because of the numerous important offices which accompanied it; for instance, they were members of the upper house of Assembly and also of the General Court; but

it was as collectors of customs that they enjoyed the most lucrative emoluments. For a long period, they were also relieved of the heavy burden of taxation, with the single exception of church dues. This privilege, however, was withdrawn when they came to be paid a definite though small remuneration for their services as councillors. Another office of dignity was the Secretaryship of State, which was filled by the King on the governor's recommendation. It was from time to time occupied by men of great distinction in the affairs of the community—men like John Rolfe, William Claiborne, Richard Lee, Nicholas Spencer, and Ralph Wormeley.

The principal legislative body was the House of Burgesses, which was convoked by a writ of summons running in the name of the governor, and addressed to the sheriff of each county. In the beginning, the writ was read to the congregations of the parishes by their respective clergymen at least two Sundays in succession beforehand; but at the end of the century, notice was given to all the householders individually by the constables. In 1645, every freeman possessed the right to vote; in 1654, all householders; but, in the following year, the former regulation was restored—only to be again repealed in 1670, on the ground that many of the voters, being penniless, had no stake in the community. The suffrage in that year was restricted to freeholders and householders—which was no real hardship in a country where land was so easily acquired and tenants so much valued. The Assembly that carried out Bacon's views restored the former regulation of unqualified suffrage, but, in 1684, the right to vote was for the third time restricted. It was now confined to freeholders, to the exclusion even of householders. It is probable that at first the ballot was used; but, at a later period, the *viva voce* method was adopted. The votes were originally cast at the sheriff's dwelling-house; afterwards at the court-house.

The membership of the House was drawn for the most part from the ranks of the first gentlemen in the Colony.

Each county furnished two representatives. Unlike their fellows in England, they received a fixed remuneration for their services, which, during certain periods of the Colony's history, was so high as to cause popular discontent, although, in theory, payment was made to cover the expenses of attendance alone. There was a state-house previous to 1643. This was destroyed by fire, and so was the second building. Another was burned down by Bacon's order, and the structure that was erected in its place also fell, in 1698, a prey to the flames—the fourth to be destroyed in the same way. No other was erected at Jamestown.

The officers of the Burgesses were the speaker, the clerk, and the messenger. The proceedings were modeled on those of the House of Commons. There were three great committees upon which devolved the main transaction of business, and their functions can be inferred from their names: the Committee on Election Returns, the Committee on Propositions and Grievances, and the Committee on Claims. No act of the General Assembly—which was composed of the governor and council sitting as the Upper Chamber and the Burgesses sitting as the Lower—became law until it had been signed by the governor. All the enactments were, at the end of the session, forwarded to the King and Privy Council, who, on receiving them, submitted them to the Board of Trade and Plantations; and this Board, in its turn, referred all involving a law question to the attorney general, and all involving a question of revenue to the commissioners of the customs. If the respective decisions of these officers were adverse to the validity of some of the acts, the governor was required to issue a proclamation repealing these—otherwise all became a part of the permanent statutes of the Colony.

We have already alluded incidentally in previous chapters to the exclusive right of the Assembly to impose taxes, and the failure of all attempts to deprive its members of this right. The tax levies were three in number, namely, the parish, the county, and the public, according to the character

of the expenses which had to be met. The parish levy was laid by the vestry; the county, by the justices of the county court; the public, by the General Assembly. The parish taxes were devoted to the building and repair of churches, the purchase of glebes, and the payment of the clergy's salaries and similar charges; the county taxes, to the erection of court-houses, stocks, whipping-posts, bridges, and the like, or to awards for the destruction of wild animals, or to the remuneration of the burgesses, and other performers of local services; the public taxes, to all expenses approved by the House Committee on Claims, such as the salaries of public officials, repairs to the state-house, the cost of election writs, the fees due numerous messengers, and the outlay in recovering runaway servants. All these funds were raised by practically one form of taxation, namely, taxation by the poll. Taxation of land was deemed inadvisable because it was already burdened with the quitrents; trade was exempted because of the export duty on tobacco and of the English customs, while personal property went free because the ownership of livestock was thought to be precarious owing to the wide forest areas. In taxing the tithable, the chief source of the planter's wealth was mulcted; and as the slaves increased in number, the burden fell more and more on the rich. The taxes were collected by the sheriffs.

The only other form of direct taxation was the quitrent. Its amount was one shilling for every fifty acres that had been patented and occupied. Vast areas of land in its primæval state owned by affluent colonists paid no tax of any kind. Among the indirect taxes were the duty on liquors, the impost on furs, and the charge laid on all iron exported during certain periods. But the most profitable of all these indirect taxes was the duty of two shillings on every hogshead of tobacco shipped out of the country. This was collected in Virginia. And so was the duty of one penny the pound imposed on the same commodity sent off to the other colonies. The tonnage and head taxes payable on incoming ships and

arriving settlers was, from year to year, of considerable proportions. Additional sources of income were found in fines, forfeitures, and compositions for escheated plantations or chattels; and, finally, in the proceeds from the sales of public lands, when it became allowable to purchase such lands with coin or tobacco.

CHAPTER XXXVI

ADMINISTRATION OF EDWARD NOTT

Nicholson, whose administration was distinguished for so much that was both beneficent and progressive, was succeeded in 1705 by Edward Nott, who was nominally the lieutenant-governor. The Earl of Orkney held the commission of governor-general, but he never visited Virginia, and was satisfied with drawing annually twelve hundred pounds sterling of the two thousand attached to the office. Previous governors-in-chief residing in England had reserved only one thousand for themselves, but Orkney seemed to think that the fatigue of enjoying himself in London was greater than the burden of performing the functions of the post in the Colony, and that, therefore, he was entitled to more than one half of the compensation. This is only one of the numerous instances occurring in those times of the depletion of the public treasury by the conscienceless beneficiaries of sinecures who happened to possess influence at court, but were without an honest claim to the enjoyment of such substantial incomes. Orkney is said to have drawn the salary of titular governor of Virginia for the space of forty years, which meant that, during that long interval, he had pocketed at least forty-eight thousand pounds sterling, not one penny of which he had earned by any real service.

The first official act of Nott was to recommend the revisal of all the laws entered in the statute book; and the alterations suggested by the long experience of the General Assembly seem to have been frankly accepted by him, save only the changes proposed in matters relating to the church. The latter aroused the opposition of Commissary Blair; and his

influence in that province was so great that all further discussion of them was dropped.

We have already referred to the earnestness with which the English Government had, previous to Nott's administration, urged the erection of a dwelling-house for the acting governor; but one excuse after another was offered for putting off compliance. Neither the General Assembly, nor the governor, as a rule, favored the erection of such a residence—the first, because it would swell the public levy; the second because an official mansion would compel him to expend a large sum upon a wasteful hospitality, which, so long as he lived in lodgings or with friends, he was able to avoid. After Berkeley was superseded, none of the governors who followed him were married, or if so, brought their wives to Jamestown. Had Effingham, Culpeper, Andros, or Nicholson been accompanied to the Colony by a spouse, it is quite possible that a house of dignified proportions would have been built for the accommodation of some one of them and his consort, through the latter's influence. Effingham, Culpeper, and Andros were anxious to lay aside all that could be saved out of their salaries. Nicholson, being of a more liberal turn of mind, would not have objected to the expense of promiscuous public entertainment, but being alone, it is probable that he thought that a spacious mansion would hardly be promotive of his comfort and convenience. Nevertheless, this fact did not prevent him, as we have seen, from urging the advisability of its early construction. After Nott's arrival, three thousand pounds sterling was appropriated by the General Assembly for the cost of such a mansion. This sum was, perhaps, equivalent to as much as forty thousand dollars in modern currency, and was ample for the accomplishment of the purpose in view.

There must have been some abuse on the part of the governors of this period in making appointments to the county benches, for the burgesses and councillors alike united in voting for a bill which required that no commission should be

issued to a justice without the concurrence of at least five members of the council. Nott, thinking that this act would infringe upon the powers of his office, vetoed it; and an act of the same character, which reestablished the General Court without any provision for an appeal to the crown, was returned to the King with the disapproval of the Board of Trade, to which Board it had been referred. The next step—so that body asserted—would be for the General Assembly to endeavor to emancipate itself from the royal prerogative in all its transactions.

There bobbed up again, during this administration, the old project of establishing a number of ports of entry and departure. This project now, as before, had its origin in the English Government's desire to assist the collectors of customs in the several rivers in preventing illegal trading on those waters; and now, as before also, the English merchants, influenced by the hostile clamor of the shipmasters, apprehensive of inconvenience, caused the suggested measure to be dismissed.

Fire, which as we have seen, had brought to ruin every public building in the Colony from time to time, now wiped out the halls and dormitories of the College of William and Mary. When once such a conflagration started, there were no engines at that period to quench the flames; and when it had died out for lack of more material to burn, there was no insurance policy to make good the loss. The General Assembly, for the benefit of the stricken college, at once renewed the tax on skins and furs. Commissary Blair, giving up his salary, directed all his energies to the collection of a large fund for restoration, and on his earnest plea, one thousand pounds sterling was reserved for the same purpose by Queen Anne out of the revenue from quitrents. The new buildings were nearly finished by the close of 1716. In the meanwhile, a professorship of natural philosophy and mathematics had been established. An endowment of one thousand pounds sterling was granted to the college in 1718 by the General

Assembly; and at a later date, an annual stipend was allowed it out of the duties on exported tobacco and imported wines.

A free school was founded by Mrs. Mary Whaley in the vicinity of Williamsburg.

Nott was succeeded in 1706 by Edmund Jennings, the President of the Council, who served in the office for a period of several years. Robert Hunter, who had been named lieutenant-governor in 1708, had been captured by the French in the course of the voyage to Virginia, and kept close prisoner in Paris. During his incarceration there, he is said to have received an application from Dean Swift for his appointment to the bishopric of Virginia, should that office be created, as was then anticipated. Had a separate diocese been established, and the author of *Gulliver's Travels* been advanced to its head and compelled thereby to remove to Jamestown, what would he have thought of his environment? Not quite so severely, of course, as the horses in Gulliver's last voyage thought of human beings, but probably this new experience would have furnished Swift with another chapter in the history of the wanderings of his hero.

At a later day, Sir William Hamilton, the husband of the renowned Emma, is reported to have solicited the appointment to the governorship, which would have required him to take up his residence in Virginia. Had both the great dean and Nelson's siren become identified, even for a time, with the community on the James, the romantic interest which it has always derived from the haunting shades of Captain John Smith, Pocahontas, and Nathaniel Bacon, would have been vividly enhanced.

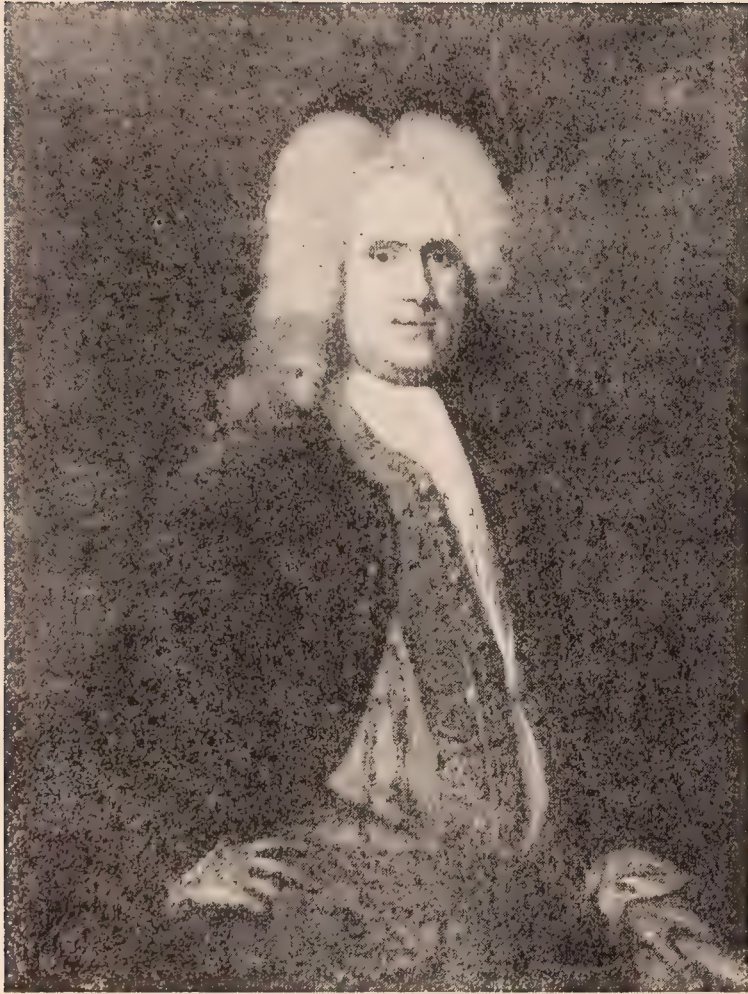
CHAPTER XXXVII

ADMINISTRATION OF ALEXANDER SPOTSWOOD

There now appeared upon the scene a figure, which, though practical enough in its general lines, was, in consequence of one stirring incident, to be always wrapped about with the atmosphere of romantic adventure. This was Alexander Spotswood, who became the lieutenant-governor of the Colony in 1710. He was sprung from an archbishop and a chief justice of Scotland, although born at Tangier in Africa; had served with the rank of colonel in the armies of Marlborough; and had been badly wounded at the Battle of Blenheim. He showed in the performance of his duties in Virginia extraordinary energy, resolution, and intelligence from the start.

One of his first acts was to secure a guardship to prevent vessels bound out from Virginia ostensibly to London alone from smuggling on board a quantity of tobacco for sale in the West Indies by the way. Another was to persuade the General Assembly to appropriate a sum sufficient to complete the erection of the new state-house; another still was to recommend the restoration of the fort at Point Comfort, the establishment of a hospital for the sailors of the trading vessels under its roof, and the construction there also of a large dock for repairs to all kinds of ships. He had occupied his seat but a short time, when there sprang up the rumor of a slave conspiracy in Surry County; but this, happily for the people of that region, was revealed early enough for suppression without loss of life. The negro who gave the clue was purchased by the Assembly and emancipated.

Spotswood's practical genius was early turned to the opening up of iron mines—an interest that won for him the



COLONEL ALEXANDER SPOTSWOOD

name of the Tubal Cain of Virginia. His means were not sufficient to allow him to do this at his own expense at first, and he urged the General Assembly to begin the work at the public charge; but without success, although it was suggested that, by this means, the burden of taxation might be lessened. Four years subsequently (1714), he took the earliest step to develop his own iron mines on the Rapidan with the aid of German workingmen who had emigrated to America under the encouragement of De Graffenreid. The latter had founded New Bern in North Carolina, but had been prevented from carrying out his contract to establish these new-comers there in consequence of an invasion by the Tuscaroras. They had instead settled on one of the tributaries of the Rappahannock at the instance of Spotswood, who felt a compassion for their forlorn condition, and supported them until capable of earning their own subsistence. He owned about 45,000 acres here, which lay outside of the organized communities, and as he had discovered traces of iron in the soil, he determined to set up a furnace at his own expense. There were forty German men, women, and children on the land at this date, and the adult males were employed by him about the single furnace. In time, he added three furnaces to this first one. He did not venture, for fear of the English manufacturers, to turn out finished iron; but he seems to have made such castings as chimney-backs, andirons, fenders, rollers, skillets, and boxes for cart wheels. Pig iron, however, remained his staple product.

Spotswood used the power of his position to increase the usefulness of the post-office which Thomas Neale, as already stated, had been authorized to establish in all the Colonies. The charge was nine pence a mile for every letter of a single sheet which was to be transmitted for a distance of eight miles, and four and a half pence more, if it were to be transmitted beyond that distance. He advocated the restriction of all patents to the public lands to the north side of the James, as this would sooner, by more rapidly spreading the popula-

tion to the mountains, raise a barrier against Indian invasion from the most threatening quarter. He protested against the intrusion of the Carolinians upon lands situated north of Wyanoke Creek; and he appointed Philip Ludwell, Jr., and Nathaniel Harrison to act as commissioners, in co-operation with commissioners from the sister colony, to settle the boundary dispute.

There arose, in 1711, a controversy between Thomas Carey and William Glover as to which of the two was entitled to serve as the governor of North Carolina. Glover was compelled to take refuge in Virginia, while Cary refused to recognize the authority of Edward Hyde, who had recently arrived from England with the commission of lieutenant-governor. Hyde accepted Spotswood's mediation. Cary, on the other hand, rejected it, and boldly moved his fleet up to attack his opponent, who at once sent in haste to Spotswood for assistance. Spotswood ordered several companies of the border militia to hurry to his aid, which was now urgently needed, as Cary was about to strike. Cary did strike, but was forced to withdraw, and in revenge, despatched an emissary to the Tuscaroras to obtain their active support; but the old men refused to consent to it. Ultimately, Cary surrendered to Spotswood, and was shipped away to England for trial. This was in July, 1711.

In September, the Tuscaroras murdered many of the inhabitants along the banks of the Pamlico and Neuse Rivers, although there had been no declaration of war. Spotswood promptly sent a detachment of soldiers to prevent the Indians on the borders from going over to the marauders, and he himself made a journey through the woods to the town of the Nottoways to influence their chiefs to set their faces dead against such an uprising. Previous to this time, the Indian children educated under the terms of the Boyle gift at the College of William and Mary had been procured from remote tribes. Spotswood now offered the chiefs seated in Virginia a remittance of the tribute in fur if they would bring

their children to the college; and this offer was accepted by the Nansemonds, Nottoways, and Meherrins.

At the session of 1710-11, the General Assembly laid a tax of five pounds sterling on the head of every negro slave, and twenty-two shillings on the head of every Indian slave, imported. The single purpose of this heavy duty was to discourage the further increase in the population of bondsmen of either race. The debts already incurred in their purchase was growing intolerable, and there was an apprehension also that insurrections would be encouraged by their increasing number. The Board of Trade, bearing in mind only the interest of the merchants engaged in the slave traffic, recommended the annulment of this Act. The steady inpouring of Africans gave a strong impulse to the production of tobacco, and the augmented quantity of that commodity which resulted only further depressed its price in the market. So impoverished became many of the small planters that they now began to turn their energies again to the manufacture of petty domestic articles, which the English traders had previously supplied. It was estimated that, in one county alone, forty thousand yards of woollen, cotton, and linen cloth were now produced; and the quantity made in other counties fell not far short of the same length. Spotswood, apprehensive of the Board of Trade's interference with the home industry, endeavored to divert the people's attention to the collection of naval stores for export.

In 1711, he tried in vain to persuade the General Assembly to require the induction of every clergyman. At this time, only forty of the fifty-two parishes in Virginia possessed respectively a minister of the Gospel. He sought with equal earnestness to ensure a better income for the incumbents of the pulpits by recommending for that purpose, as well as for the repair of the churches, an additional tax of forty pounds of tobacco on the head of every tithable in the Colony. He strove to put the collection of the quitrents on a more solid footing by suggesting that the General Assembly should pass

an act that would compel the forfeiture of all land on which the quitrents had remained unpaid for a period of three years. In order to obtain a finer quality of leaf in payment of these dues, he proposed that certificates should be issued for all the tobacco deposited in the public warehouses; and that these certificates should be declared to be legally receivable for all kinds of taxes.

In 1714, Spotswood entered into treaties with the Sapony, Nottoway, and Tuscarora Indians. His plan was to establish these tribes in three different settlements on the southern frontiers to serve as a bulwark against invasion. During this year, he spent six weeks in these forests, and while there, chose the site for a fort, which was afterwards erected and given the name of Christanna. Twenty-three thousand acres were reserved for the three divisions of Indians, but only the Saponys took advantage of the allotment; the Nottoways refused to leave their town; and the Tuscaroras removed to Carolina. In the new fort at Christanna, Spotswood placed an officer with a file of twelve soldiers, and these, accompanied by a dozen Indian scouts, were ordered to prowl about the surrounding woods from day to day. All the commercial intercourse with the Indians was required to be restricted to this fort, and a company was formed for the exchange of goods. This company was placed under contract to build roads, warehouses, and a powder magazine, and also to keep the fort in repair. In return for this outlay, it was granted a monopoly of the Indian trade.

In 1715, not less than seventy Indian children were receiving instruction at the fort from the Rev. Charles Griffin, whom Spotswood had appointed to the office of schoolmaster there at a salary of fifty pounds sterling a year. All Indian parents who were willing to enter their children in his classes were granted more favorable rates in trading.

In 1715, South Carolina requested Virginia's aid in repelling an Indian incursion, and Spotswood, in response, sent off to that Colony a large quantity of arms and ammuni-

tion which had been stored in the magazine at Williamsburg. These supplies were conveyed by a detachment of one hundred and fifty men who were soon successful in defeating a large body of savages, then relentlessly engaged in ravaging the outlying regions. Two years later, a tribe that had taken part in these attacks made their way to Christanna to deliver to the officer there a number of their children to serve as hostages during their education in the college at Williamsburg. While they were asleep in camp a lurking Iroquois band stole upon them at dawn and put many of them to the tomahawk and led most of the remainder away into captivity.

Outraged by this, and previous like events, Spotswood, in the winter of 1717-18, visited the Colony of New York in order to prevent, by mingled threats and warnings, the undertaking of another march by the Iroquois against the tributary tribes in Virginia. The daring warriors of the Five Nations had already left on their way to the South, but were stopped and brought back by a messenger sent on their trail in a hurry. It was at first the habit of these marauders to pass in the eastern shadow of the Blue Ridge; but at a later period, they agreed to travel only on the western side, unless they could show a license for the eastern from the governor of New York.

Spotswood, who found the General Assembly indisposed to appropriate the funds needed for his various military enterprises, spoke with impatience of the character of the average member, whose only offense apparently was fidelity to the wishes of his constituents, who were, naturally enough, chiefly concerned with keeping the taxes down. The council, being more under his influence, seems to have concurred in his measures to correct the popular abuses in the application of the headright, and to force the sheriffs to swear to the accuracy of their quitrent accounts. Philip Ludwell, Jr., and William Byrd persuaded the General Assembly to send a petition to the King for the abolition of the quitrent altogether, and because Spotswood considered this to be unwise, they held



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him up to opprobrium as an enemy to the Colony. His opponents now endeavored to undermine his standing with the English government by communications to the Board of Trade aspersing him for a supposed breach of trust, the violation of his official oath, indifference to the royal instructions, trickery in procuring a large legislative appropriation, and other offenses, which, if true—which they were not—were equally dishonorable and unpardonable. To all these charges, the able and experienced governor replied at length with convincing force.

The unjustifiable attacks of private and public enemies did not chill or divert his official energies. In 1717, it was said, at one time, that the Capes were actually blocked by pirates. One of their ships carried twenty-six guns and was accompanied by a sloop. Spotswood was active in dispersing these outlaws by means of the *Shoreham*, which was still stationed on that coast. In 1718, Captain Teach, a notorious fellow, pretended to accept the King's pardon, which had been offered to all who would abandon that redhanded profession. He surrendered to the governor of North Carolina, and most of his crew scattered throughout that Colony, but a considerable number resumed their nefarious calling. Teach joined these in a sloop, which he had been allowed to retain on giving his promise to engage only in lawful commerce. He soon overhauled a vessel transporting a cargo of sugar and cocoa. When news of this outrage was brought to Spotswood, he got together several sloops and manned them with officers and crews obtained from vessels in the service of the King. On November 22nd (1718), Teach was overtaken, a fight followed, and he and twelve of his men were killed, while the rest were captured, along with their sloop, which was armed with eight guns.

Philip Ludwell, Jr., having failed to upset the governor by his letters to the Board of Trade, joined warmly in a controversy raised by Commissary Blair over Spotswood's claim that he had a right to collate to a vacant benefice. It

seems that Ludwell and Blair had transferred a clergyman from one parish to another with the support of the vestry of the latter parish. This was done only after the clergyman had promised that he would not go to the governor to obtain his consent to induction. Spotswood resented the imposition of this condition, and a hot quarrel resulted.

CHAPTER XXXVIII

WESTWARD MOVEMENT OF POPULATION

But the most famous episode in the crowded history of Spotswood's administration was his romantic passage of the Blue Ridge Mountains. Before describing this adventurous excursion to the banks of the Shenandoah, let us see how far he had been antedated in his journey.

The first white persons to gaze upon the paradise of the Great Valley were quite probably the indomitable Jesuit missionaries, for its outlines are to be found traced on their famous map drafted in 1632. In 1643, Walter Aston and his companions were commissioned by the General Assembly to search for a large stream flowing far to the west; and ten years afterwards, William Claiborne and his associates, all with experience of the wild forests and intrepid in spirit, set out to explore the same savage region. Edward Bland and his escort had already, in 1650, stumbled upon the modern New River. In 1668, Berkeley, who was aiming to find the South Sea, was halted in the woods to the westward by a continuous downpour of rain. Loederer was more fortunate in 1669-70, during which years, he boldly pushed his way far beyond the line of frontier. Two expeditions under the leadership of Abraham Wood were made in 1671 and 1673, but apparently without remarkable results.

At this time, the Great Valley was the teeming hunting ground of the Indians, and with the exception of two villages of the Shawnees and Tuscaroras, was unmarred in its wild natural condition by the presence of even the aboriginal wigwam. The Iroquois from the north, stealing down the Cumberland Valley and crossing the Potomac at the site of

the modern Williamsport, were, after the treaty of Albany, in the habit of passing both to the right and the left of the Massanutton Range in their campaigns against the Catawbias roaming south of James River. If there had been Indian settlements in this region previous to that treaty, which at first blocked the road for the Iroquois on the west side of the Blue Ridge, they melted away before the raised tomahawks of these fierce warriors as the banks of a river in flood vanish in its current. It was not the burly wall of the Blue Ridge that so long restricted the spread of English population from the head of tidewater. Rather it was the perils created by these periodic expeditions that were the real obstruction at first.

The earliest official consciousness of the Valley came to light in 1705 in an Act of Assembly for the regulation of the trade with the few Indians to be met with in that quarter. This law reveals the fact that the topography of the country situated beyond the crest of the Blue Ridge was now known through the cumulative reports of former explorers. Louis Michell, who built his cabin in the Monocacy Valley on the north side of the Potomac in 1706, had, before doing so, undoubtedly spied out the land along the banks of the lower Shenandoah. It was through his influence that a Swiss colony had been established at New Bern in North Carolina, under the supervision of De Graffenreid; and when this settlement was broken up, that company was only prevented from making their next home in the Valley of Virginia by the rival claims of the proprietaries of Maryland and the Northern Neck to that part of this region which lay nearest to the Potomac River. By 1709, tracts along the Shenandoah had been granted to Michell and De Graffenreid for the benefit of this colony, but their ownership never seems to have progressed beyond a bare title.

De Graffenreid stimulated Spotswood's interest in that region by describing to him in person at Williamsburg its beauty and fertility in its then unblemished primæval condi-

tion. The Swiss nobleman had visited the capital at some time previous to May, 1712; but it was not until 1716 that the governor decided to lead a band of explorers to that earthly paradise. Accompanied at first by Robert Beverley and John Fontaine, he left the former's home in Middlesex, and made his way to Germanna, where he was joined by an escort of gentlemen, two companies of rangers, and several Indian scouts. About fifty persons in all made up the party, which was liberally supplied with pack-horses, provisions, and liquors. They marched leisurely from this frontier settlement towards the chain of mountains, which, for most of the way, was hidden from view by the canopy of the forest. Every night, they bivouaced in tents or in the open under the wide spreading branches of the trees, and before lying down, drank a toast to the King. No serious misadventure disturbed the good humor of the members of the party. The sting of a hornet, a fall from a horse, the coil of a rattlesnake ready to strike, were the only perils endured or threatened. Deer and bear were daily killed to furnish a fresh meal beside the crackling fires.

On September 5th, the members of the expedition began to climb to the crest of the Ridge, and on the same day, arrived at the top at a point since known as Swift Run Gap, which was the divide for the waters flowing, on one side, to the Potomac, and on the other, to the Rappahannock. Here the King's name was engraved on a rock that rose on the edge of the newly made trail. As the explorers looked westward, they saw the beautiful valley veiled in the September mist, and beyond, the outer ramparts of the Appalachians against the horizon. They soon descended to the Shenandoah, and in the meadows bordering its waters, they found herds of buffalo and elk feeding like cattle in a pasture. The stream was discovered to be full of perch and chub, and the thickets were overrun with wild grapes. The company fired a volley and drank a long series of healths in every kind of spirits consumed

in those days, from rum to usquabagh and from punch to champagne.

When the explorers set out on their return, the rangers did not accompany them, but stayed behind to examine the various features of the country. The expedition was absent during an interval of six weeks. Spotswood arrived at Jamestown on September 17th, after traversing four hundred and thirty-eight miles in all. The number of horsemen taking part in the journey suggested to him to present to each of the gentlemen, as a souvenir, a golden horse-shoe set with diamonds, and bearing the engraved legend, *sic juvat transcendere montes*.

A much more important measure adopted to encourage the spread of population westward was the erection of the counties of Spottsylvania and Brunswick.

In 1710, the settlements did not reach beyond the great falls in the rivers; but at the end of twelve years more, they had got to a point whence the Blue Ridge could be seen on the horizon. These extended frontiers were exposed all along the wall of the Blue Ridge to the stealthy assaults of the united Indians and French—the latter of whom made their way across the Alleghanies from their forts at Kaskaskia, Detroit, and Vincennes, far to the northwest.

The new county of Spottsylvania—which was expected in time to stem the rush of these relentless enemies in that direction—not only ran up to the crest of the Blue Ridge from the modern Orange County on the south, and the modern Rappahannock on the north, but also crossed that chain of mountains so as to embrace the modern counties of Rockingham, Page, and Warren. The first colonists to occupy this area were three bands of Germans—already incidentally referred to in connection with the iron mines—who entered separately in succession between the years 1714 and 1720. They were all Lutherans and came in families. The second and third sets of these people sat down finally in the present county of Madison on the banks of Robinson and Conway

Rivers. The majority were from Wurtemberg, and they soon erected a school, a church, and a parsonage. The first colony drifted ultimately from Germanna into the modern county of Fauquier.

Brunswick County was erected at the same time as Spottsylvania. It lay along the border of Carolina, but it did not stretch as far westward as the Blue Ridge.

There was to be, in both counties, an exemption from the payment of quitrents during a period of seven years; but no patent was to exceed one thousand acres in extent. The tributary Indians who roamed the woods in the occupied parts of the two new counties—more especially Brunswick—were the Nottoways, Nansemonds, Meherrins, Saponies, and Occaneechees. It was to protect these tribes from the intrusion of the Iroquois that led Spotswood to go to the great conference held in Albany in 1722; and the treaty there adopted confirmed the provisions of an agreement which he had entered into at Williamsburg with the representatives of the Five Nations.

In spite of the greater security which these arrangements afforded for the exploration of the country west of the Blue Ridge, it was not until 1727 that Spotswood's report upon the region lying beyond the chain influenced other Virginians to sue out patents to lands situated in that quarter. In that year, Robert Brooke, Jr., Beverley, Robinson, and others, filed their petition for a grant of fifty thousand acres in the modern Bath County. The earliest settlers in actuality were Germans from the Palatinate, who had first removed to New York and Pennsylvania, after their own country had been cruelly devastated by a succession of wars. In 1730-32, some of these people migrated to Virginia. Prior to their settlement in the lower valley of the Shenandoah, there had been grants of land there to several persons. A patent of ten thousand acres to Chew and others situated just below the modern Front Royal had been quickly disputed by Robert Carter, who, as the agent of Lord Fairfax, claimed that the



COLONEL JOHN PAGE

boundaries defined in that deed lay within the area of the Northern Neck domain of this nobleman, and that such a patent could only be validly issued by him. This was the beginning of a long and angry controversy, which naturally slowed down the occupation of the country until it was finally quieted.

The first legal survey in this quarter was for fifty thousand acres for the benefit of Carter himself; and the ground embraced extended as far westward as the west bank of the Shenandoah. The second was to Colonel Page, and ran up the Potomac to a point situated beyond the modern Harper's Ferry, which was established as early as 1734. The land belonging to these two grants still remains in part in the possession of the descendants of the original patentees. It will be thus perceived that the first persons to acquire a permanent title to soil in that beautiful valley were of the oldest English stock in Virginia;¹ and it was due to their initiative that the social life in the modern Frederick, Jefferson, and Clarke counties, unlike that of the counties to the south, resembled, during so long a period, the social life in Eastern Virginia.

When the first Germans patented lands, they had to leap over this interval before they could find an unoccupied seat. The earliest were the members of the Van Meter family. One of them had accompanied an Indian war party through this country and a recollection of its fertility had been the influence which led to the petition for a patent. The Van Meters obtained a grant to land lying in the vicinity of the modern Winchester, but disposed of it to Hite and his associates.

In the course of 1730, Robert Beverley, William Beverley, and John Corrie sued out a patent to fifty thousand acres situated in the valley of the Shenandoah. So far, while a vast area of soil had been acquired by deed from the Colony, there had been no actual settlement. The first pioneer to come in

¹Carters, Burwells, Pages, Washingtons, Byrds, and others of the like social distinction.

person to take up land by patent and make his home on it, was Jacob Stover or Stauffer in 1732. His holdings consisted of two tracts, each of which embraced five thousand acres; and he obtained his title, not by offering the human headrights which the law required, but by submitting a fraudulent list of the names of his horses, cows, bulls, and dogs. This property lay at the northern end of the Massanutton range. It was from Stover that Adam Mueller and other Germans purchased land on a date that preceded the year 1733. The claim of William Beverley that the Stover patent overlapped his own previous grant by order of council was dismissed in that year.

In 1736, Beverley and others associated with him acquired a grant to about one hundred and ten thousand acres situated in the modern county of Augusta, which came to be known from its principal owner as the Beverley Manor; and this was afterwards occupied by families brought over from north Ireland and belonging to the sturdy and religious Scotch-Irish stock.

John Lewis was a scion of this robust strain of people; and, accompanied by his family, he went out to Virginia. At Williamsburg, he was thrown into friendly intercourse with Salling, who had explored the Upper Valley as far as the headwaters of the Roanoke, and had brought back a lively impression of the natural fecundity of the country. Under the guidance of this brave adventurer, Lewis and John Mackey crossed the Blue Ridge to the Central Valley; and Lewis was so delighted with its natural advantages that he decided to establish himself there in a permanent home. This led him to acquire patents to large tracts in that region; and near the site of the modern City of Staunton, he erected a small fort to serve as a refuge in dangerous times. Returning to Williamsburg, he met Benjamin Borden (Burden), the agent of Lord Fairfax; and when he retraced his steps to his fort, Borden went back with him, in order to inspect the country and to hunt wild game with his host and his sons.

Borden in his turn was so much impressed by all that he

observed in this jaunt that he secured the right from Governor Gooch to sue out a patent to five hundred thousand acres, principally in the modern county of Rockbridge; but the title was only to become valid when he had brought in one hundred families to inhabit the land. He was allowed an interval of ten years in which to fulfill this condition. By 1737, however, he had seated within the boundaries of his grant the required number of people, all of whom had been disciplined in the religious school of Knox and Calvin. They were abstemious, high-principled, pious, and indomitable in spirit. Thenceforward, during a long course of poignant years, they were forced to repel the invasions of the stealthy Indians; many men, women, and children among them were destroyed by the tomahawk and scalping knife; but their sturdiness never weakened before danger, their vigilance never slackened, and their religious temper never grew cold.

They presented a remarkable contrast to the German population of Lutherans, Mennonites, and Dunkards, who occupied so large an area of the Lower Valley. There was, however, a sprinkling of this German element in all the country lying between Augusta County and the modern county of Wythe. A colony of Swiss in the southwest was visited by Dr. Thomas Walker in his western explorations in the year 1748.

William Byrd, who owned a vast domain of land along the modern Dan River, formed the plan in 1735 of planting a Helvetian settlement at the junction of that river with the Staunton.² He distributed in Switzerland a pamphlet descriptive of this region; and he was so far successful as to induce some of its people to emigrate to the primæval woods in Virginia. But the ship transporting them was wrecked after passing within the Capes, and all perished except ninety, who expressed their willingness to go on to the forest home which had been provided for them. Ultimately, however, most of

²The origin of the name of this river is obscure. Possibly it was given in honor of the maiden name of Mrs. Gooch, which was Stanton.

the region south of the James was populated by the overflow from lower tidewater, and by the influx of numerous Scotch-Irish migrating from other settlements, under the general leadership of John Caldwell, the ancestor of the famous statesman, John C. Calhoun.

It was not until 1728 that the line between this section of the Colony and Carolina was finally laid off by Colonel Byrd; and it was the personal knowledge of these parts thus obtained that led him to patent large tracts along the tributaries of the Roanoke.

CHAPTER XXXIX

ADMINISTRATIONS OF DRYSDALE AND GOOCH

Spotswood was superseded by Hugh Drysdale in 1722. He had been forced out of the office that he had held so ably and so conscientiously by the dogged repetition of aspersions, which, it was supposed, he had successfully combatted. These aspersions came from persons whose questionable or unscrupulous schemes of various sorts he had not hesitated to cross and block.

Drysdale was shrewd enough to learn a lesson from his predecessor's failure, after persistent efforts, to acquire the power to induct all clergymen—he refrained from making an appointment to a pulpit even when it had been vacant for six months, although the vestries themselves admitted that, in such a case, he had the right to fill it. The curious spectacle was presented, on more than one occasion, of Commissary Blair, the staunch supporter of the vestries' right to choose every incumbent, rebuking him for his shortcoming in this respect. Drysdale was, perhaps, not a zealous churchman like Spotswood, and for that reason, and also for sake of his own ease and equanimity, he preferred to err on the side of laxness rather than on the side of stringency in matters ecclesiastic.

It was during his administration that the General Assembly endeavored to bar the further importation of convicts; but, on the recommendation of the Board of Trade, the Act which they passed for that purpose was declared invalid—one of the swarming proofs that it was the English merchants' inter-

ests which received the primary consideration with this body. And that body also refused to approve an Act which afforded the people relief from the burden of the poll tax by imposing a special duty on all imported liquors and slaves. It would be thought that the poll tax was the most equitable tax that could be levied, but the Board of Trade apparently did not condemn the new measure from this point of view, but rather from the point of view of the interests of the Royal African Company, which employed many ships and seamen in the transportation of raw negroes to America.

Colonel Drysdale died on July, 1726. During a short interval, Robert Carter filled the office of lieutenant-governor. Carter was the president of the Council, and so wealthy a landowner and slaveholder that he was universally called "King Carter." From him was descended the socially distinguished family of the same name, which owned some of the most beautiful homes in Tidewater Virginia, and which intermarried with all the principal colonial strains.

William Gooch followed Carter in 1727. Gooch was a native of Scotland and a former officer in the British military establishment; a man of unblemished private character and of a high order of intelligence; sedate and reserved in his personal bearing, but kindly and courteous in his intercourse, and a robust Presbyterian in his religious convictions. He continued in office for the space of twenty-two years. The events of the times during which he served were so full of peril and tumult that only a firm and sagacious executive could have passed through them as successfully as he did. On the one hand, there was always danger of Indian irruptions, and on the other, of negro insurrections.

In 1729, a large gang of slaves belonging to a plantation that had recently been seated in the upper valley of the James River, and which, for the most part, was still in its primæval state, were influenced by the remoteness of their situation to desert their cabins in the night, and steal off to the wild hollows of the Blue Ridge, which, at that point, shut out the



ROBERT (KING) CARTER

western horizon. Their flight had been so carefully arranged, and their future needs so minutely anticipated, that, when they departed, they were able to carry off with them, not only the guns and ammunition that they had secretly acquired from time to time, but also the agricultural implements which their master had turned over to them for the tillage of the soil. It was their plain intention to found an independent settlement. These negroes had, perhaps, only recently been imported from Africa, where they had been accustomed to live together in villages; and it was such an aboriginal community as this that they were resolved to set up. They made their way to a quiet and fertile cove in the main chain of the Blue Ridge, and there they began at once to cut down the trees in order to clear the ground for crops and also to supply the timber for houses. It was not long before their place of hiding was discovered. A strong force of white men and rifles was organized by their owner, and accompanied by them he started for the spot. The pursuing company was received by the slaves with a flurry of shots; but, in the end, they were overpowered, and, sullen and silent, marched back to the plantation which they had deserted, in their longing for personal liberty.

The report of this incident passed from one end of Virginia to the other, and everywhere the apprehensions of the white people were vividly excited by it. All recognized that, had this band of fugitives been left unmolested, their settlement would have drawn irresistibly to itself the runaway negroes of the Colony; and it was quite possible that the community of outlaws would have grown strong enough to send companies of invaders against the outlying plantations. Gooch himself took this episode so much to heart that he began at once to overhaul the militia with the view of training it thoroughly for any emergency that might arise in the future. Whilst he was determined to put down all rebellious negroes, he was, at the same time, always ready to show special consideration for the members of that race who should prove

themselves to be worthy of reward. Thus he obtained, during the same year, letters of freedom for a slave who had succeeded in concocting a remedy for venereal diseases.

In our description of the western movement of the white population, we referred to the dispute which arose with Robert Carter as to the correct line of the Northern Neck grant on its southern and western borders. The definition incorporated in the original patent was extremely obscure in its meaning, for it simply gave as the limit of the area to be embraced "the general heads and springs of the Potomac and Rappahannock Rivers." Which were these heads and which these springs? Gooch was of the opinion that Lord Fairfax's domain ended on the south at the head of navigation in the Rappahannock, which was found at the mouth of the first important fork in the stream. From this point, he thought that the western line ran to a marker on the Potomac, which had been formally accepted by the English Government. It had become an object of the first importance to fix upon the true line so as to remove all possible cloud upon any title that the land office at Jamestown might convey to ground situated in that region.

A dispute that involved the Colony sprang up between England and Spain during this administration, only to culminate in the famous assault on Carthagena. In this assault, four hundred Virginians took part—all picked troops that had been equipped at a heavy expense. Spotswood, at that time living in retirement, was first put in command of them, but before they could embark for the scene of war, he died, and Gooch, having, as we have seen, been once an officer in active service, assumed his place, and sailed away with the regiment for the Island of Jamaica, which had been selected as the rendezvous for the English army. One of Gooch's most faithful and trusted captains was Lawrence Washington, a brother of George, who was led by his intimacy in Jamaica with Admiral Vernon to give his friend's name to his home on the banks of the Potomac. Owing to practical deficiencies in the preparation for the attack on Carthagena—such as the



WILLIAM MOSELEY, SR.

shortness of the scaling ladders, and the ignorance of the shallowness of the water near the fortifications, which halted the advance of the ships—the onset, though pressed with extraordinary courage by the troops, was unsuccessful.

Virginian forces took part in the defense of the coasts of Georgia when a Spanish fleet threatened to wrest them from the possession of Oglethorpe. Less satisfactory was the military experience of the Virginian quota furnished to assist the main army in the invasion of Canada in 1746.

The recollection of Stuart tyrannies in the previous century was probably one reason for the loyalty of all classes to the House of Hanover. In 1745, when Charles Edward raised his standard in Scotland, every influential body of men in Virginia—the General Assembly, the Clergy, the College, the Planters—all announced that they were ready to stake their lives and fortunes in support of the throne; and the sincerity of this declaration was demonstrated by the bonfires, processions, and banquets with which they celebrated the victory of Culloden.

In 1626, Rev. W. Long complained to the Bishop of London that the clergymen of the Colony were slack in instructing the children in religion; and that they also neglected their duty to the adults of their congregations, in consequence of which, he said, there was much debauchery among the people at large. If this condition prevailed to the extent represented, it was in spite of the measures adopted from time to time by the General Assembly to suppress the vices of gaming and drinking, which were the ones supposed to be most rampant; and it was also in spite of the extraordinary energy of the dissenters, who were now increasing in number and zeal.

One of the most influential spokesmen and exhorters of the dissenters was the Rev. William Robinson, whose field of evangelical work lay in the tier of southside counties which were already a stronghold of the Presbyterian faith. Rev. John Roan, of Newcastle in Delaware, was not content with blowing up to a white heat the religious enthusiasm of his

fellow-Presbyterians in Hanover and the surrounding counties, but inveighed against the supineness of the Episcopal clergymen with so much keenness and candor that they, in their resentment, brought him into a court of law. Gooch, though a firm Presbyterian himself, seems to have had little sympathy with untrained evangelists like Robinson and Roan. He charged them with preaching without a regular license, and with being unable to show any testimonial that would prove that they had received the proper education for their sacred calling. The "new light," upon which they relied for justification of their ministry appeared to him to be a poor preparation for such grave responsibilities. How violent in their language these men could be when under the influence either of outraged piety or of resentment against the harshness of the law, is revealed in the words of Rev. Thomas Walker, of Hanover, who exclaimed on one occasion, in the presence of a number of Episcopal clergymen, "Your churches and chapels are no better than the synagogues of Satan."

But there was among these dissenting ministers a man who was one of the holiest apostles as well as one of the greatest intellects of his time. This was Samuel Davies, a native of Delaware, whose first charges lay in the counties of Hanover and Henrico. Even Commissary Dawson, in spite of the sourness of his clergy's opposition, applauded his zeal and success. The council, however, denied his right to preach; but Davies took his stand upon the broad platform of the Act of Toleration, which had been approved by the General Assembly, and set his face like flint against every attempt to interfere with him and his congregations. He was, on several occasions, called before the bar of the council, and he utilized the hour to present the cause of the dissenters with a vigor, eloquence, and practical sense, that had never been surpassed in that chamber, whatever the subject of the speech. The council's attitude, nevertheless, remained adverse. Davis charitably attributed their hostility entirely to the malicious reports touching the dissenters' acts and words that were

brought to their ears by designing persons. "But for these reports," he said, "the councillors would have shown themselves the guardians of our legal privileges as well as generous patriots to their country, which is the character generally given to them."

There was one person sitting in the council who clearly perceived Davies' mental and moral greatness, and who was moved by his sympathy with his spirit and conduct to show consideration for the hampered and persecuted dissenters. This was Governor Gooch himself.

We have mentioned Spotswood's wise and original suggestion that certificates should be issued on tobacco so soon as deposited in the public warehouses, and that these certificates should be receivable for taxes. The General Assembly seems ultimately to have adopted this happy solution of the problem of forcing the payment of the quitrents and other public dues in a really merchantable commodity. During the administration of Gooch, it was required by law that each of these certificates—which had the currency of modern bank notes—should not only specify the quantity of the tobacco for which the certificate had been given but also its quality; that is to say, whether it belonged to the sweet scented or to the Orinoko variety.

Norfolk was incorporated in 1736, and Richmond founded in 1737. The site on which the latter town,—if town it could be called at that time,—was built, was the property of Colonel William Byrd, of Westover. His father, the first of his name to emigrate to Virginia, a man of solid character and unfailing sagacity, had actually resided there in sight of the great Falls; and it was there too that, by the exchange of English merchandise for Indian furs, he had steadily increased his fortune, acquired by inheritance and his own shrewdness, until he had become one of the wealthiest citizens of the Colony. In the seventeenth century, the little settlement which grew into the modern Richmond, was always spoken of as the World's End, for it was here that the English plantations ended on the



WILLIAM BYRD II

border of a wilderness that had rarely been penetrated to any distance except by the feet of savages and wild beasts. Petersburg, twenty miles away, on the Appomattox River, was founded in 1748. During the previous year, the capitol at Williamsburg had been destroyed by fire; and it was proposed by many influential persons that the seat of government should be removed to some point of greater salubrity higher up the country; but a strong opposition to this suggestion was successful in consigning it to limbo.

In 1643, the two most prominent figures in the general life of the Colony died. These were Commissary Blair and the younger William Byrd. Blair performed a clergyman's duties in Virginia during fifty-eight years; he served as the representative of the Bishop of London for a period of fifty-four; and was President of the College of William and Mary for a period of fifty,—a record so useful and so honorable as not to be tarnished by a character, in some respects, of serious weakness for a person of his calling. To the College, he bequeathed his large and carefully selected library; and also left it five hundred pounds in money.

Byrd was the most accomplished gentleman among all those who graced and adorned the colonial history of Virginia. Such were his social gifts that he drew attention and excited admiration in the most polished drawing-rooms of London; and this favorable judgment he further riveted by his wealth of solid as well as of polite learning. He had been grounded in the classics and belle-lettres in England; had studied law in the Middle Temple; and had completed his course in that province in the Low Countries. So keen was his interest in science that he had been elected a member of the Royal Society; and he was on the most intimate footing with men of the stamp of Robert Boyle and Lord Peterborough. His library at Westover was, perhaps, the largest and choicest in Virginia; his collection of portraits and silver was of extraordinary value; and he lived in a mansion that would not have been scorned by the most affluent gentlemen in England. He was a man of an energetic



WESTOVER

and inquiring spirit, which found vent in explorations of the wilder regions of the Colony; and his descriptions of these wanderings are altogether the most entertaining and polished writings that have survived from the eighteenth century.

During the administration of Gooch, there were only two furnaces in Virginia in operation. The cost of producing a ton of pig iron was estimated to be two pounds sterling, and when sold in England returned the sum of five or six pounds sterling. The expense of setting up one furnace fell but little short of seven hundred pounds sterling, and as many as one hundred slaves had to be provided for the task of procuring the raw ore for it and working the smelter itself. No attempt was made to utilize the lead ores which were now known to exist in large deposits in the southwest.

The size of the population was still calculated on the basis of the number of tithables. Each tithable was supposed to represent at least three persons. A report to the Board of Trade during Gooch's administration, by the application of this test, put the number of inhabitants down at one hundred and thirty-five thousand, of whom forty thousand were negroes. Marriages among the colonists occurred, as a rule, early in life, and the women proved themselves to be of extraordinary fecundity.

There were for the year when the report was submitted one hundred and seventy-six companies of infantry and one hundred troops of cavalry organized in Virginia. This indicated a force of eight thousand eight hundred footmen, and four thousand horsemen,—a total which embraced every freeman above twenty-one years of age and under sixty who was capable of bearing arms. These citizen soldiers were drilled in the private musters by a subaltern, and in the public, by an adjutant, who had been appointed by the governor. There was but one fortification situated in the Colony at this time that stood unimpaired. This was the fort at Point Comfort, which was equipped with twenty-two guns. It had been rebuilt in 1736-38 very substantially of brick and shell lime, and placed under

the command of Captain Samuel Barron. The only other formidable defense in existence previous to this year were several open batteries on the banks of the principal rivers, under whose guns the merchantmen could find protection, should they, at any time, be pursued by pirates. They were not strong enough to offer any resistance when the assault was directed on the landside.

By this date, war, disease, and intemperance, had reduced the Indian tribes to very thin ranks. The Pamunkeys on York River could only show a roll of ten families. This was the remnant of Powhatan's powerful kingdom. The roster of the Nansemonds and Nottoways on the South side of the James had dwindled to fifty warriors. In 1734, these Indians had been constrained to petition the Assembly for the right to sell a part of their lands in the modern Isle of Wight County, and in 1748, to sell still more. On the Eastern Shore, all separate organizations had gone to pieces, and the survivors of the aborigines in that region were scattered about among the English plantations.

The revenues collected for the government's support at this time were derived from the following sources: (1) the duty on exported tobacco, amounting to two shillings the hogshead; (2) the fee of fifteen pence the ton imposed upon every ship arriving at Point Comfort, and of six upon every passenger aboard; (3) numerous fines and forfeitures; and (4) the charge of one shilling for every acre embraced in a patent when issued. The total income of the colonial treasury varied little one way or another from the annual sum of five thousand pounds sterling. This amount was sufficient to pay, not only the regular salaries, but also the expenses entailed by extraordinary calls of various sorts.

Two events of a general character that occurred during this administration was the importation of the progenitors of the most famous race-horses in Virginian history; and the first publication of the *Virginia Gazette*. The initial number of this journal, edited by William Parks, came from the press

at Williamsburg, in August, 1736. It was printed once a week, and the subscription rate was fifteen shillings for twelve months. A few years later, a theatre was erected in the same town by a company of players who had been drawn thither from New York City.

CHAPTER XL

ENCROACHMENTS OF THE FRENCH AND INDIANS

As early as 1735, the second William Byrd had pointed out that it was to the advantage of the French "to be beforehand with the English in gaining possession of the mountains (Alleghany)." "For so doing," he said, "they will have the following temptations: first, that they may make themselves masters of all the mines with which those mountains abound; second, that they may engross all the trade with the western Indians for skins and furs, which, besides being very profitable, will bind those numerous natives to the French interest so far as to cause them to side with the French against the King's subjects, just as those bordering on Canada are already employed to give trouble to the adjacent British colony. And lastly, that they (the French) may build forts to command the passes through those mountains, by means of which they will be in condition, not only to secure their own traffic and protect their own settlements westward, but also to invade the British colonies from thence." "Nor are these views so distant as some may imagine," he added, "because a scheme for that purpose was some years ago laid before the *Sieur Croissat* and approved; but it was not, at that time, thought to be sufficiently ripe for execution. These inducements to the French make it prudent for the British monarchy to be watchful to prevent them from seizing this important barrier. There should be employed some fit person to reconnoitre these mountains in order to discover what mines may be there, and likewise to observe what nations of Indians dwell there, and

where lie the most considerable passes, with a view to their being secured by proper fortifications."

These were words of remarkable wisdom and foresight. Unfortunately, they were not heeded until the French had seated themselves so firmly in the territory beyond the Alleghanies, that they could only be driven off by a fierce and expensive war. They were near enough to the western boundaries of Virginia to keep the Indians in the outlying parts in a state of sullen animosity to the English, which flared up every now and then in ruthless incursions. In 1738, a band of sneaking savages stole down from the valley of the Ohio River and murdered eleven men, women, and children, in one of the remote settlements of Orange County. Gooch at once organized a force of rangers to pursue them to their towns and compel the surrender of all who had taken part in the massacre. The Indians in the parley that followed sought to justify themselves by asserting that the persons killed had built their cabins far beyond the boundary line which had been set by formal agreement.

By 1742, no such excuse for such bloody cruelty as this could be offered, for, by that year, title to all lands up to the eastern banks of the Ohio had been transferred to the English by the Treaty of Lancaster. But this fact did not check the Indian incursions. In the very year in which that treaty was signed, a roving company of Iroquois, descending from the North, entered the Valley of Virginia on the warpath against the Cherokees seated further South. All the way through the dispersed plantations,—according to the report of the whites,—they seized horses to hasten their journey; and for the recovery of these animals, they were followed by militia summoned from the tobacco and corn fields. They were overtaken at Balcony Falls by Captains John McDowell and John Buchanan at the head of an incensed body of troops. A soldier,—so it was said by these troops,—was sent forward with a signal of peace, but when he was shot down by the Indians, the whites rushed forward and fired upon the enemy, killing

as many as ten or twelve warriors. The Indians returned the fire, and eleven men, among them Captain McDowell, fell in their tracks. The savages then took to flight, and by scattering in the underbrush, escaped.

Gooch was indignant at this supposed violation of the terms of the treaty, and insisted, by special messenger, that Governor Clark of New York should punish the band guilty of what he denounced as an indefensible outrage. The Iroquois declined to make any reparation, on the ground that the intruders had, in passing up the Valley, carried off only the hogs running wild in the woods; and that they had been forced to do this by the positive refusal of the English settlers to supply them with food. They denied that the bearer of the signal had been wantonly killed. On the contrary, they said, it was only after two Indian boys had been made the target of bullets and two adults actually shot down that the band began firing; and, a few minutes later, they had retreated for their lives into the forest. It was proved that the whites, and not the Indians, had been the real aggressors in the battle, as was so often the case in these bloody episodes of border warfare. Gooch, indeed, was, in the end, compelled to pay the sum of one hundred pounds sterling to quiet the Indian claim against the Colony arising from this incident.

In 1749, Thomas Lee and twelve other citizens of Virginia and Maryland united in organizing the Ohio Company. Among the members were Governor Dinwiddie, George Mason, and the two Washingtons, Lawrence and Augustine. One of the earliest acts of this company was to send out Christopher Gist to inspect the western country as far as the falls in the Ohio, at the modern site of Louisville, and to report on its various resources. He arrived on the banks of the great river safely, and crossing to the other side, explored the region up and down for a considerable distance. Every step of it which he traversed during this excursion was found by him to be, for the most part, overgrown with forest; but, here and there, were beautiful savannas, and, at longer intervals, wide plains

clothed in luxuriant grasses, and watered by limpid streams, and enlivened by magnificent herds of elk and bison. The like scenes and objects confronted him all the way to the mouth of the Kentucky River after he had returned to the southern bank of the Ohio.

So favorable was Gist's report of all that he had observed that the Ohio Company was prompted by it to acquire from the Indian tribes inhabiting that country the right to establish settlements there. The accession of Lawrence Washington to the presidency of the Company, after the death of Thomas Lee, was directly influential in bringing his brother George into active participation in the practical management of its affairs. Lawrence was so much impressed with the importance of planting colonists on the Ohio lands as soon as possible that he endeavored, through Mr. Hanbury of London, to obtain a large band of Germans for that purpose; but his efforts to secure for them exemption from taxation for a definite period failed.

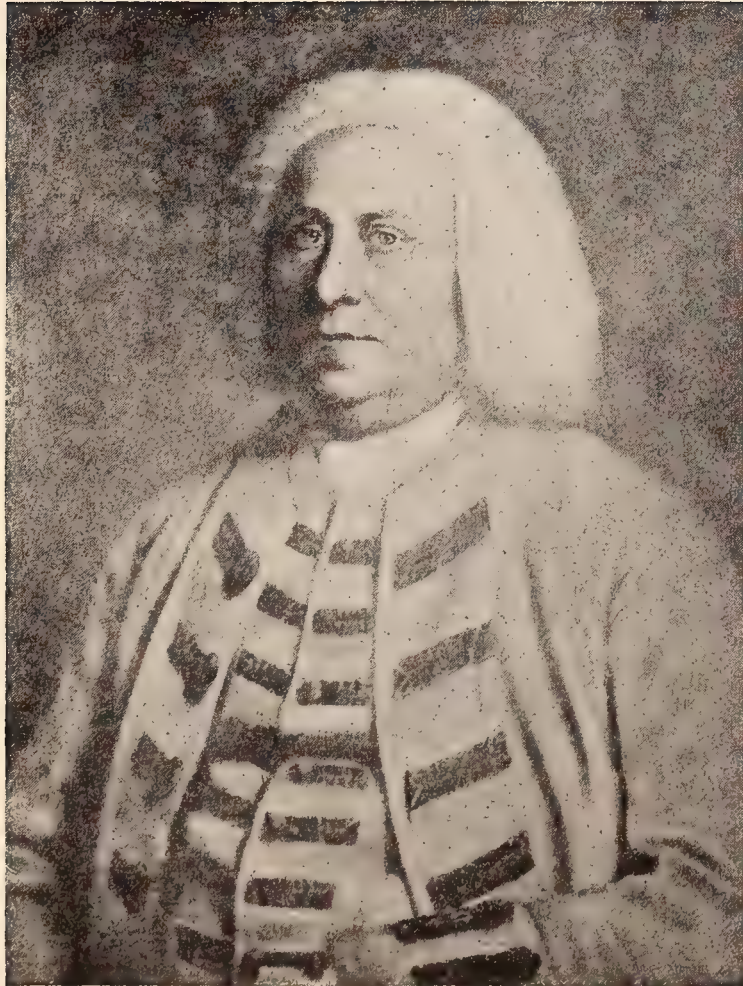
CHAPTER XLI

DINWIDDIE'S ADMINISTRATION—THE FRENCH FORTS

Dinwiddie, the new executive, arrived in Virginia in 1752.¹ He was acting as the deputy of Lord Albemarle, the successor of Orkney in the governor-generalship. A zealous Presbyterian like Gooch, he won his first official promotion by detecting, while a clerk in a West Indian custom-house, proof of defalcations on the part of his principal. In consequence of this act of honesty and vigilance, he was appointed surveyor of customs for all the colonies; and so satisfactory was his conduct in this responsible position that he was selected to serve as deputy-governor of Virginia, which, at this time, was the most important office in the colonial dominions of England.

Dinwiddie recognized, so soon as he arrived at Williamsburg, that the advance of the French beyond the Alleghanies was the most menacing condition then facing the administration at Williamsburg. One of the very first measures of his incumbency was suggested by this threatening outlook, namely, the division of Virginia into four military districts. Already, the French forts, like links in a formidable chain, extended all the way from Lake Erie to Louisiana. The French Government asserted a legal claim to all this vast and incomparably fertile territory on the ground that the entire region had been first explored by La Salle; and in harmony with this claim, that government had gone so far as to bury in the earth at the mouth of each of the larger streams flowing into the Ohio

¹John Robinson as President of the Council, had served as Lieut.-Governor in 1749, and Louis Burwell in 1750.



GOVERNOR ROBERT DINWIDDIE

River a tablet as a permanent memorial of its title to the whole country up to the very fountain head of that tributary. As most of the springs were situated in the valleys of the Alleghanies, such a claim, if just, would bring the back of the French possessions almost in view of the Blue Ridge Mountains.

The English scouted the validity of this asserted proprietorship in the region of the Ohio because all the territory had been formally conveyed to them under the provisions of the Treaty of Lancaster. No reliance seems to have been placed by them on the terms of the charters granted in the time of the London Company, which carried the English dominion as far as the shore of the Pacific Ocean.² To acknowledge the right of another nation to occupy this great principality was to raise a mighty natural wall against the further extension of the English settlements, which had already reached the Valley of Virginia.

Dinwiddie had received specific instructions to put a permanent stop to the intrusion of the French. Having first, by a treaty with the Indians in 1753, acquired the right to build a fort on the Monongahela River at the point of its confluence with the Alleghany, he next selected young George Washington to bear to the French commander at Vincennes a letter of remonstrance against the erection of fortifications and settlements in a region belonging to the English. The messenger had already won such a high reputation for skill, prudence, and experience, that he had, at the age of nineteen, been appointed adjutant-general of Virginia, with the rank of major; but, above all, as a surveyor in Lord Fairfax's employment, he had obtained an intimate knowledge of all this wild western country, through which most of his projected journey would lie. His frame had been hardened by a life in the open air from childhood; and he had learned to endure without shrinking every vicissitude of weather at every season of the

²Possibly, no claim was based on the charters because of the revocation of 1624.

year. Vigorous in frame, calm in soul, deliberate in thought, he had all the characteristics required for the enterprise which he was now called upon to carry through. The rugged mountains to be crossed, the somber forests to be traversed, the treacherous Indians to be outwitted,—not one for a moment intimidated his serene and courageous spirit.

Washington was accompanied by Jacob Van Braam as interpreter. They stopped for a short time at Winchester in order to purchase the horses needed for the transportation of themselves and their baggage. On the banks of the Cumberland, which were reached by November 14th, they were joined by Christopher Gist and an escort of four men. Snow now began to fall in great flakes, and the streams, swelled by the recent rains, were pouring over their banks into the adjacent low grounds. At every step, the difficulties and dangers of the journey grew more formidable, but the undaunted travelers pushed on their way through the cold and silent woods. Halting for a brief interval at the confluence of the Monongahela and Alleghany Rivers, Washington and his companions inspected the spot with a view to reporting upon the advantages which it had to offer as the site of the fort which Dinwiddie had been authorized by a treaty with the Indians to erect there. But before the necessary steps could be taken to carry out this design, the French came in and built a strong fortification on the same ground, which they named Fort Duquesne. But the place at the time of Washington's visit was in its original state of nature.

Leaving it behind, he and his companions resumed their journey northward along the valley of the Alleghany until he arrived at a creek situated not far from the shores of Lake Erie. On the banks of this stream, the French had constructed a stronghold, which, at the hour of the Virginians' arrival there, was under the command of De St. Pierre. While this officer was laboriously drafting a reply to Dinwiddie's communication, his subordinates were corrupting the loyalty of

an influential Indian chief who had been enrolled among Washington's followers in course of the western trail.

As soon as the letters to the governor at Williamsburg had been received, the little party set out on their return to that town. At first, all traveled on foot, which exposed them to many hardships from the extreme roughness of that primæval region; and it was not until they reached Venango that they rejoined their horses; but the country traversed afterwards continued so full of all sorts of obstructions that the men dismounted and used the animals, thereafter, only for the transportation of their baggage. So slow was the progress that Washington grew impatient, and taking only Gist with him as a companion, he pushed on ahead, in the hope of reaching the settlements in Virginia many days earlier than he would do should he remain with the other persons in his escort. He was now dressed in an Indian matchcoat, buck-skin trousers, and moccasins,—which were the garments most suitable for the wild scenes through which he was passing,—and he had his pack slung to his back and carried his trusted rifle in his hand. In short, his clothes and equipment were those which were characteristic of the men of that day who spent their lives in the woods of the frontier.

The vigilance which Washington had learned to exercise in previous excursions did not now save him from an incident that might have been fatal to either himself or his companion. Having run upon a party of French Indians, he employed one of them to serve as his guide, and as the three were forcing their way through the recesses of the woods, this savage turned in his tracks and fired his rifle at either Gist or Washington point blank, but the bullet went wild. It was with difficulty that Washington could prevent Gist from shooting the treacherous Indian on the spot. The latter was held a prisoner until night came on, and then was permitted to vanish in the forests. The two white men quickly broke camp, and in the darkness, pressed on southward until they reached the banks of the Alleghany.

This stream was now in flood and could only be crossed on a log raft. Washington and Gist were in possession of only one hatchet, and this they used in turn in constructing such a craft, which at once sank to the bottom when they leaped on board to make the passage. A second raft was built in the same laborious way. This they were able to mount and push away from shore, but thick masses of ice were now running with the rapid current, and Washington, having stuck his pole in one of these floes, was, in the effort to extricate it, thrown into the water, and would inevitably have been drowned had he not been able to seize one of the logs of the raft, to which he held on until the rough vessel ran aground on an island in the stream. Wet to the skin and unable to make a fire, the two men passed the night in a frigid atmosphere, aggravated by a high wind that blew down the river. So severe, indeed, was the cold that, by the morning, Gist's feet and hands were chilled to the bone; but they managed after dawn to cross over to the eastern bank and to travel safely to a small English trading post which was situated in that region. Recuperating quickly from the fatigue of their recent adventures, the two men left the post and succeeded, without further incident, in making the Virginia frontier settlements.

By January 15th, 1754, Washington had delivered the letters of the French commander to Dinwiddie, at that time residing in Williamsburg. The journey, which had extended to and fro over fifteen hundred miles through a roadless forest, had been completed in a period that fell little short of three months altogether.

CHAPTER XLII

DINWIDDIE'S ADMINISTRATION—FORT NECESSITY

It was plain to Dinwiddie from the tenor of the letters of the French that force alone would stop the further advance of this nation towards the Alleghanies, and he, therefore, began to take energetic steps to demonstrate to the enemy that this advance would be resisted with all the military power of the Colony. Two companies, one of them to be made up of seasoned frontiersmen, were, according to the first plan which he formed, to be organized and placed under Washington's order in an expedition that was to proceed to the confluence of the Alleghany and Monongahela Rivers, where it was supposed the Ohio Company had by this time started upon the construction of the fort so long intended to be built there. The troops now to be sent out were expected to complete this fort, had it not been already finished. The General Assembly after some delay, appropriated ten thousand pounds in colonial currency for the equipment of the soldiers. The regiment that was ultimately despatched numbered three hundred men, under the command of Colonel Fry and Lieutenant-Colonel Washington. The governors of New York and South Carolina were instructed by the English Government to recruit troops to co-operate with this force.

By April (1754), Washington, at the head of two companies, had arrived at Great Meadows, and here he learned that the detachment which had been engaged at the confluence of the Alleghany and Monongahela in building the fort permitted by the terms of the Indian treaty had been set upon by the French descending from Venango, captured, and their

work on the fort brought to an abrupt stop. Its construction was continued by the enemy for their own use.

Washington decided that it would be imprudent for him to go forward with his small force and attack the foe entrenched in their now formidable position, and he, therefore, contented himself with the clearing of a road through the woods that would allow the easy passage of his cannon. The attitude of the Indians while he was so employed was such as to cause him serious apprehension. There was encamped not far from Great Meadows a detachment of French, who, with their savage allies, were constantly engaged in reconnoitering the movements of his troops. Upon this party, Washington, at the head of a band of his own men and friendly Indians, stole under the cover of darkness, and, in the skirmish that followed, killed the commander and ten of his soldiers, and captured twenty-two others.

This seems to have been the first real battle in which Washington had ever taken part, and it was reported long afterwards that he had exclaimed on this occasion that "there was no music so pleasing to the ear as the whistling of bullets." He denied in later years that he had ever given utterance to such balderdash; or if he had done so, it could only have been, he said, when he was under the influence of youthful effervescence.

Colonel Fry died in March, and Washington was promoted to the chief command of the regiment. Hearing that the French, who had reinforced the detachment stationed at Fort Duquesne, were making active preparations to march down to the scene of the skirmish, he, now short of provisions and dissatisfied with his situation on that ground, fell back to Great Meadows, which had recently received the new name of Fort Necessity. By the third of July, a little army of nine hundred Frenchmen had come up and occupied a position, lying in front of the fort, which was protected from close inspection by a canopy of leaves and a mass of high-growing grasses. This position was especially favorable for the fire

of the Indians' rifles. They had hardly been dislodged when a heavy rain began to fall, which so flooded the trenches in the fort that they had to be deserted, and many of the guns were also put out of use by the downpour. To render the circumstances of their situation worse, a large number of the soldiers became intoxicated, and, in that condition, were incapable of making a defense.

The French at this moment offered a parley, to which Washington acceded. The terms submitted, being liberal in a high degree, were accepted. The cannon were to be spiked, but the soldiers were to be permitted to carry away their arms and baggage, and also to march out of the confines of the fort with their flags flying above their heads and their drums beating a lively tattoo. The casualties of the Virginia regiment in the siege had not exceeded twelve killed and forty-three wounded. The losses of the other colonial troops present were, perhaps, even more insignificant. The greater part of the baggage and stores was abandoned in the fort, since most of the packhorses had been devoured for rations. It was with difficulty that the Indians, following their custom, could be restrained from attacking the long procession of retiring soldiers, and they sullenly contented themselves with rifling the baggage and provisions which accompanied it.

That Washington's reputation for courage and discretion was not damaged by the unlucky episode of Fort Necessity was proven by the vote of thanks which was extended to him by the General Assembly. A phrase in the articles of surrender signed by him excited surprise when the document was published. It would be inferred from his signature that he had assented to the statement contained in this document that he had "assassinated" De Jumonville, who had commanded the reconnoitering party of French in the skirmish that preceded the siege of Fort Necessity. It was shown afterwards that Van Braam, the interpreter, in turning the sentences from the French language into the English, had mistranslated the word "assassinated" into a very mild

expression. He was soon accused of treachery in his interpretation, and the Assembly refused to reward his services in the recent campaign; but it was revealed subsequently that the man had no accurate knowledge of either the French or the English tongue. He and another interpreter named Stobo were retained by the French as hostages for the safe delivery of all French prisoners who were to be released. Both men after the fall of the fort were carried off to Quebec. Stobo escaped, and returning to Williamsburg, was the subject of a laudatory resolution adopted by the Assembly. Van Braam continued a captive until Wolfe seized the heights of Abraham; and he closed his military career as a major in a loyalist regiment during the Revolution.

The success of the French military operations in the region of the Ohio River stirred up the inhabitants of the different colonies. The General Assembly of Virginia appropriated twenty thousand pounds for the prosecution of the war; and this sum was swelled by the funds contributed by Maryland, New York, and England. The number of Virginia companies was increased by Dinwiddie from five to ten. There had recently arisen very sharp friction between officers who held the King's commission and those who could only show the commission of a colonial governor. The former claimed the superior rank, although both might have been appointed captains, majors, or colonels—the one by the royal signature; the other, by the gubernatorial. Washington, who had served as colonel, was demoted to the rank of captain, and as such was expected to take orders from men with the King's commission who had retained their higher rank, although, during the existence of the former military status, they had been subordinate to his command. In disgust, he threw up the colonial commission which he held and withdrew from the camp to his own home.

For the purpose of removing his objection to this inequality, which was also shared by the other Virginian officers, Dinwiddie directed that the new companies should be

organized without any connection with the regular British forces in America; and that their officers should acquire their rank exclusively from him as the governor of the Colony.

Colonel Innes, at the head of a little army composed of Virginian and Carolinian troops, took position at Winchester as the first step to an excursion beyond the Alleghanies; but no equipment or provisions having been collected there for a winter campaign (1754-5), the whole force seems to have sunk into such inaction that it is not recorded that they marched even to the crest of the nearest mountain. Subsequently, Colonel Innes, at the head of a large body of Carolinians and New Yorkers, erected a stronghold on the north branch of the Potomac known as Fort Cumberland. This fort was situated on the Maryland side of the stream at a distance of fifty-five miles from the site of the modern Winchester.

The supineness displayed after the fall of Fort Necessity in the previous July was possibly attributable to the expectation that England would sooner or later despatch an army from her own shores to drive the French intruders along the Ohio back to their settlements in Canada. And in February this anticipation—if it was ever really entertained—was shown to be correct by the arrival of General Edward Braddock, accompanied by a detachment of one thousand regulars.

CHAPTER XLIII

DINWIDDIE'S ADMINISTRATION—BRADDOCK'S DEFEAT

Braddock's commission empowered him to assume the supreme command of all the organized troops in the Colony, whether regulars or provincials, who should be summoned to the field. The only sensible step which this brave and conscientious but imprudent officer seems to have taken in the course of the terrible campaign upon which he was now entering, was to appoint Colonel Washington to a position on his staff—a step, no doubt, most earnestly advised by Dinwiddie, with whom he had consulted at Williamsburg before setting out for Alexandria, where some of the detachments which he was to lead against Fort Duquesne were already encamped. Here, on his arrival, he was received by the governors of Massachusetts, New York, Pennsylvania, and Maryland, all of whom were in a high degree interested in the demolition of the different French posts situated south of Lake Erie.

The troops under Braddock's command were composed of disciplined regulars from England, seasoned infantry men from Virginia and Maryland, and a small body of light horse recruited from the former colony. There was also a little band of Indian scouts attached to the army. The only other soldiers enrolled were two companies which had been furnished by New York. This was under the orders of Horatio Gates, an officer destined to win military prominence in the Revolution. It was estimated that the forces thus brought into the field numbered two thousand one hundred and fifty men in all.

The route finally adopted led from Alexandria to Frederick in Western Maryland, and from Frederick to Winchester in Virginia, and from Winchester to Fort Cumberland. Thence the march was to be directed straight for Fort Duquesne, the real objective. Washington, who had, as a surveyor for Lord Fairfax, passed over the intervening country, was in favor of using packhorses as the safest and most convenient means of transporting the arms, ammunition, provisions, and baggage; but Braddock determined to employ wagons, and at his request, Benjamin Franklin procured a large number from the Pennsylvania farmers—unfortunately on a promise to pay, which they had afterwards reason to rue. The troops advanced in a far flung line from Fort Cumberland along a road which was cut deeper and deeper into the wilderness from day to day. The stage traversed in every twenty-four hours did not exceed five miles, and sometimes it fell short of this distance. So great was the heat that many of the men were overcome by fever; and among the officers so stricken was Washington himself, who had to abandon his horse for a covered wagon. A large detachment lightly equipped was sent ahead through the roadless woods to reconnoiter. Some of these men, straggling from the main body, were cut off by the Indians and French, who, under the veil of the bushes, lurked unseen on either side of the column.

It was not until the ninth of July that the two sections of the advancing army, now united and co-operating, arrived on the banks of the Monongahela. The point reached was situated about fifteen miles from the stronghold which was to be attacked. Up the valley of this stream—after they had waded across to its western shore—they continued the slow march in high spirits, under the expectation of an early and complete triumph over their enemy. Washington had been so ill that he had, for most of the way, been unable to keep up with even the rear-guard, but only a few hours before the forces halted on the banks of the river, he, having partially

recovered, pushed forward and joined their ranks. As the troops advanced along the floor of the open valley, they presented a picture which he never forgot. The scene, he remarked in later years, was the most beautiful that his eye had ever fallen upon, decorated as it was by the glances of the brilliant sunlight on the scarlet coats and metal accoutrements of the regulars, and on the picturesque though soberer uniforms of the provincial companies—the whole projected upon the green background of the primæval meadows and woodlands.

At the end of five miles, the long column forded the river again to the eastern bank, and after tramping across the lowlands stretching to the foothills, started to ascend the moderate height that now rose in front of them. The ground which the troops were at this moment passing over was rough and broken, and the thick woods came down to the very edge of the road. Soon, on either side of the way, long ravines, overgrown with underbrush, and overshadowed by tall trees at their back, began to reveal their outlines.

There were three sections in the winding procession of the advancing army: first, a band of three hundred men, followed by a second band of two hundred, and then, at a short interval, came the great body of the troops, accompanied by the wagons and baggage. The first section had not gone far along the now shaded road when they were met by a scattered fire from the enemy, lurking ahead in the hollows and behind the trees at their further edge. Had all the soldiers present at the scene been colonials, or had the entire force been under Washington's sole control, a signal would have been given at once to those in the van to take to cover, and then to fight from hand to hand and foot to foot in the manner which Indian warfare had always followed. This was the history of the Battle of Point Pleasant, which ended after several days in a victory for the English.

But a British general was now in command—an officer as obstinate and ignorant as he was brave and proud, one who

had never been in America before, and who was serenely of the conviction that half a dozen British regulars were quite equal to two dozen Indians and Frenchmen when it came to a test of courage and endurance. In an open field, this confidence would possibly have been justified, but the English regular now found himself face to face with a method of fighting which he had never before even conceived of, and contending with swarthy foes who plumed themselves on their atrocities in battle—atrocities that were made more hideous to the imagination by the skulking way in which the blows were struck.



SEAL OF VIRGINIA DURING THE REIGN OF GEORGE III.

The number of Indians enrolled in the French ranks was about six hundred and thirty in all, while the number of French and Canadians hardly exceeded two hundred and thirty. All, however—Indians, French, and Canadians—aware of the strength of the English force in men and arms from the reports of their scouts, who had hung unseen on the column's flank all the way from Fort Cumberland, were quick to perceive that the only chance of success lay in shooting from the darkness of the woods. Under the command of De Beaujeu, they had been placed singly or in little bands at the points most protected by nature. Washington had foreseen this manœuvre, and in order to warn the infatuated Braddock in time had hurried to the front before he had com-

pletely recovered from his sickness. But his advice was not heeded, and the unfortunate army marched forward, like an unwary animal, into the jaws of the trap which had been set for it.

Some execution was done by the first fire of the troops in the van, for De Beaujeu and twelve of his men were instantly killed, owing to the momentary exposure of their persons. A cannon was brought into play to shell the ravines and the woods beyond, and the Indians, startled by the uproar, began stealing away from their hiding places on the flanks; but Beaujeu's successor, a brave and resolute officer, persuaded them to return and renew their running shots. There was no proof of the exact places which they occupied except the slight puffs among the bushes from the muzzles of their rifles. No target was presented to the British, who still remained in formal military ranks in the road, thus offering to the keen eyes of the savages behind the screen of leaves a solid target for their bullets. Not one of these, perhaps, failed to reach its mark; and disheartened by their own rapidly increasing losses, and by the absence of any sign that their random shots had hit the bodies of their enemies, the soldiers in front, who were those most exposed, began to fall into confusion. Nor was this lessened by the hurrying up of reinforcements, for these too were soon overtaken with the same fear, and only added to the growing panic. Braddock rushed forward in person to check the disintegration of the regiments by forcing them to rally around their respective flags. But still the withering fire from the woods went on, and man after man in the open road continued to throw up his hands and topple to the ground.

Suddenly the situation grew worse from the sound of firing coming from the baggage train at the back. A band of Indians had stolen around from the flanks, and had, by wild shouts and a shower of bullets, put the drivers to flight; but the soldiers in charge of a cannon which had been left for the protection of the rear were able for a time to keep the wolfish

savages at bay. The other cannon, which had been exploding in front, no longer terrified the Indians, for its shot flew wild among the trees; nor was enough spirit remaining in the troops to prompt them to charge into the underbrush with bayonets set. The demoralization had now risen to such a pitch that the officers found it impossible to bring off their men in military formation. They were, in fact, huddled up in the road in a state of such consternation that they were incapable of receiving or obeying an order, and all this dismay was caused by an enemy, who, it was afterwards said, had, from the beginning, remained invisible to the eyes of the great majority of the English troops.

There was one division of the army which, in the midst of the terrible din and sweeping fatalities, had not lost its steadiness or its wits. The Virginians, being accustomed to the Indian method of warfare, had leaped into the woods as the fire grew more deadly, and from behind trees and decaying logs endeavored to arrest the tide of defeat, now so plainly impending. They had acted thus in opposition to the orders of Braddock, who went about commanding the reforming of the now hopelessly broken ranks. In vain, Washington remonstrated; in vain, also, Colonel Halket, of the staff, protested. Braddock replied by passionately sticking with his sword the men nearest to him who started for the shelter of the underbrush in which to renew their firing. So completely had panic blinded the vision of the regulars that they, unaware of their mistake, turned their guns on a party of eighty Virginians, who, from behind a breast-work of fallen trees, were effectively returning the shots of the Indians lurking in the ravines. Fifty of the heroic little band were killed by the fusillade. This was only a single instance of the English soldiers, in a sort of frenzy, interfering with the provincials in a successful resistance to the enemy by the adoption of the enemy's own manœuvre.

Only a small proportion of the men enrolled in the Virginia

companies outlived that terrible day.¹ The officers of one of these companies were all killed; and of a second, only a single officer survived. Washington, who was still weak from his illness, had two horses shot under him and his coat riddled by four bullets, as he rode backwards and forwards carrying the orders of the commanding general.

The officers of the British regulars—who displayed both coolness and bravery in the midst of these terrible scenes, in which they were the most conspicuous targets from their seats on horseback—were soon decimated. More of the British force were killed or wounded—eight hundred and seventy-seven in all—than the French and Indians had been able to muster for the defense of Fort Duquesne. Only twenty-eight of the enemy perished; and of these, only three were officers. Of the eighty-six officers of the British—their full complement—twenty-six were killed and thirty-seven were wounded.

When the final flight began, the troops in the utmost disorder abandoned their artillery, ammunition, and baggage, and ran at the top of their speed to the river. “They ran,” said Washington long afterwards, in recalling the scene, “like sheep pursued by dogs.” “An attempt to rally them,” he added, “was as unsuccessful as if we had tried to stop the wild bears of the mountains, or the rivulets, with our feet, for they would break by in spite of every effort to prevent it.”

Braddock, who had, like Washington, several horses shot under him, and had, at last been fatally wounded,² had been left behind to be captured or scalped by the exultant foe. He was reserved from this fate by the courage and devotion of Colonel Orme of his staff, who remained at his side while the fugitives rushed by, so overwhelmed with the sense of their personal peril that not one of them was willing to accept that

¹Washington testified that only thirty men in the three companies escaped death.

²There was a general report that he had been shot by a frontier soldier who was exasperated by his obstinacy, and who thus endeavored to save the rest of the army by removing the only obstacle to an immediate retreat.

faithful soldier's offer of a reward for assistance in removing his stricken chief from the scene; and it was not until several officers of the American line—prominently among them Captain Stewart of the Virginia troops—came to his aid that he was able to carry the general away to a place of safety.

The flight of the British continued throughout that day and the succeeding night, and far into the next day. Braddock accompanied the retreat in a jolting conveyance that increased the agonizing pain of his wound. He seemed to be lost in a stupor, in which it was difficult to decide whether regret or astonishment predominated. Thirteen days after the battle, he, for the first time, commented, with pathetic emphasis, on the loss of his gallant officers; and in his last hours he was heard to murmur mournfully, "Who would have thought it, who would have thought it!" And then after a pause, he said, as if to himself, "Another time we shall know how better to deal with them." Washington lingered with him until he drew his last breath, and when the body was interred in a grave dug by the roadside, read the solemn Anglican burial service over the remains, and then hurried away to his home at Mt. Vernon.

When the flying British deserted the scene of the battle, the Indians, now in the wildest and most ferocious state of exultation, rushed from their coverts to the highway, all strewn, like a shambles, with the bodies of the dead and wounded, and with the debris of guns, dirks, ammunition, and military coats, which had been thrown off to hasten and ease the flight. The wounded were soon put to the tomahawk and all the dead robbed of their scalps. A great procession was then formed by the savage warriors, painted and bloodstained as they were, and the march of the shrieking throng to the fort began. Many of the Indians had clapped on their heads the caps of the grenadiers, or the laced hats of the officers; and some had donned the glittering regimentals of the latter. Behind this mass of frenzied savages came the French soldiers, who were driving the pack-horses loaded down with an

almost incredible amount of plunder of all sorts. In the rear were seen twelve British regulars, with their hands and arms securely tied behind their backs, and an Indian guard keeping a watchful eye upon their movements. It was not many hours before they were bound to the stake and their lives extinguished with every refinement of torture which their ferocious captors could employ. In the meanwhile, the French commander and his troops are said to have looked on from the ramparts of the fort at this horrifying scene with eyes that expressed only satisfaction at the inhuman spectacle. Whether this report was correct or not, certainly no attempt was made by them to put an end to this fiendish barbarity.

CHAPTER XLIV

DINWIDDIE'S ADMINISTRATION—MEASURES OF DEFENSE

After the great catastrophe on the Monongahela, an emotion of profound discouragement swept over the spirits of the people seated along the frontiers. It was even feared that the entire face of the country lying west of the Blue Ridge would have to be abandoned. A movement of population across the southern boundary line of Virginia began, and this impulse extended even to the plantations situated in the older divisions of the Colony. Not only did hundreds of families desert the exposed lands adjacent to the upper waters of the Potomac, Staunton, and James Rivers, in order to take part in this migration, but thousands of emigrants, who shared in some degree the same apprehensions, poured out of the foothills of Piedmont and set their faces resolutely towards the same regions of the Carolinas. It was said, at the time, that, during the autumn of 1750, five thousand persons passed over the James River by the boats of one ferry in Goochland County alone. "Scarcely do I know a neighborhood," a witness of this great hegira has reported, "but what has lost some families; not idlers, vagrants, and pests of society, but men of worth and property, whom it was evil for any community to lose."

All candidly declared that their reason for abandoning their homes was the insufficiency of the bulwarks raised against the murderous inroads of the allied French and Indians. The argument was advanced by these panic-stricken people that, if fifty savages, as had been so often noticed, could, without resistance, drive off two thousand cattle and

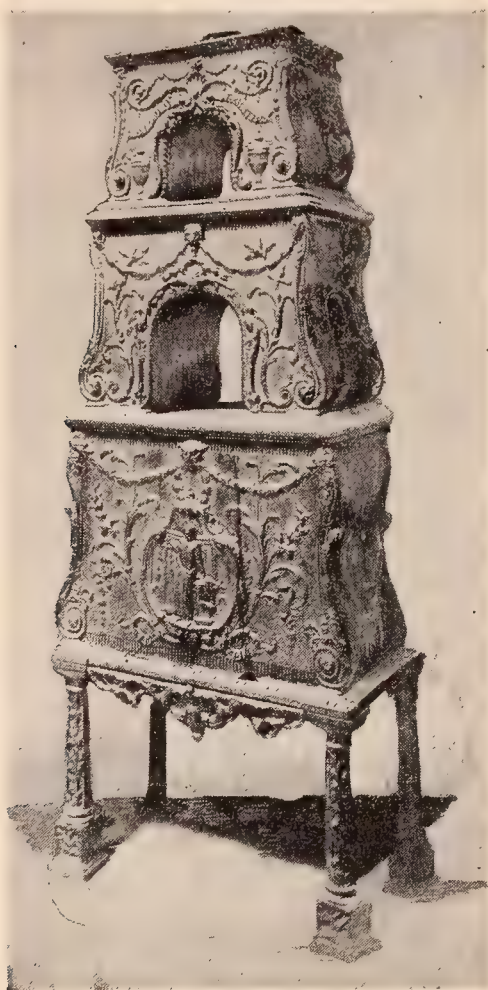
horses, and destroy all buildings standing here and there over a wide area of country, what devastation of life and property could not one thousand accomplish!

Mr. Davies, the eloquent Presbyterian apostle, brought all his powerful personal influence to bear to check this exhaustive emigration. An address which he delivered in August, 1855, before a company of independent volunteers, who had organized for defense, after the defeat of Braddock, created a profound impression in the Colony. "I cannot but hope," he exclaimed, "that Providence has raised up the heroic youth, Colonel Washington, whom hitherto Providence has preserved in so signal a manner, for some important service to his country." This brave officer, whose reputation had been increased by the reports of his gallant services in the battle on the Monongahela, now occupied the post of commander-in-chief of the sixteen companies which made up the Virginian forces at this time; and under him, by his own appointment, were serving Colonel Adam Stephens and Major Andrew Lewis.

The General Assembly, justly alarmed by the menace to the safety of the people which the failure of the expedition against Fort Duquesne had created, was now in the mood to make all the preparations required for equipping, arming, and provisioning these troops. Winchester was the only post situated on the western side of the Blue Ridge which had not been entirely abandoned. Hardly a family remained of all that had been settled beyond the North Mountains, the first wall of the Alleghanies.

In October, 1755, Washington reached the fort and took command of the troops which had been slowly gathering there during several weeks. He was so much irritated by the absence of discipline among the raw volunteers, and by his inability, from the lax rules, to suppress the prevailing spirit of insubordination, that he sent word to the Assembly that he would throw up his commission unless that body empowered him to adopt and put in force at once the strictest military

regulations. This protest was quickly effective, and he soon breathed, by sternly repressive measures, an entirely different spirit into the large encampment. He exhibited his thorough knowledge of the warfare which the soldiers would have to



OLD STOVE IN CAPITOL
Made by Guzaglo in England in 1770

confront by training them to the Indian method of fighting behind trees and of laying an ambuscade. But before the troops had completed this aboriginal drill, or could prove their ability to carry it out in actual battle, the Indians had retired to the Ohio River, followed by pack-horses loaded

down with plunder, and by great herds of cattle swept from the frontier pastures.

It was of vital importance for the success of the English cause that the friendship of the Cherokees and Catawbas should be secured; and an embassy, composed of William Byrd and Peter Randolph, was sent to their towns, with gifts of various kinds to win their goodwill—at least, so far as to induce them to join in opposing the army of the French and their savage allies, should the valley of Virginia be invaded. About four hundred Cherokees, Catawbas, Tuscaroras, and Nottoways, were persuaded to march to Winchester, but, on their way, they were guilty of as many outrages as if they had been enemies. Only one hundred and eighty Cherokees could be argued into remaining there; the rest soon went back to their towns; and, in the course of this return journey over the same ground, repeated the acts of lawlessness previously committed. The whites, aroused to white heat by these acts, retaliated by killing twelve or fourteen of the party; and in resentment, the Cherokees raised the war cry along the southern frontiers.

Washington expressed a conviction—which was universally held by the settlers at this time—that five hundred warriors on the warpath could inflict more damage on the inhabitants of the country than one thousand regular soldiers. The successive Indian raids had left a poignant feeling in his breast. “The supplicating tears of the women and moving petitions of the men,” he declared, “melt me into such deadly sorrow that I solemnly declare, if I know my own mind, I would offer myself a willing sacrifice to the butchering enemy, provided that this would contribute to the people’s ease.”

Early in 1756, the hope arose that an expedition despatched against the Shawnee towns on the Ohio River would, by striking in the rear of the predatory Indians, put a stop to their irruptions into the frontier regions of the Colony. Andrew Lewis took command of the troops, three hundred and forty in number, all of whom were seasoned soldiers

from the outlying settlements of Virginia, with the exception of the principal scouts, who had been enlisted from the Cherokee tribe. The expedition set out from Fort Frederick situated on New River, and passing the Holston, directed their steps toward the head of Sandy Creek, a stream flowing through a mountainous wilderness. For some time, they were able to obtain an easy subsistence by killing deer and buffalo, which were to be seen in large numbers roaming forest and meadow; but, by March, the provisions had fallen off to such a degree in quantity that each soldier was reduced to a ration of half a pound of flour. Even this resource ultimately failed, and actual starvation was only kept at arm's length by the consumption of the meat of butchered horses. The troops at one stage were alone prevented from turning around in their tracks by the opportune slaughter of a few elk and buffaloes that happened to wander across the path.

The company now divided—one hundred and thirty men pushed on horseback down the valley of the creek, while the remainder, under Lewis's own eye, stopped to build canoes for the transportation of themselves and their baggage on the waters of the stream itself. But the prospect of success appeared now so remote, and the hardships were so rapidly increasing in poignancy, that a mutinous spirit arose, even in Lewis's presence. Some of the men openly deserted with their guns in their hands, while others, who had been deprived of them, secretly left camp without any means of securing food as they tramped back to the nearest settlement through the wild forests. Their commander stormed and expostulated, but without diverting the purpose of his sullen listeners. Finally, he stepped back from the crowd, and drawing a line on the ground, called upon all who were willing to accompany him further, to cross it. All the officers promptly complied, but not more than thirty of the privates. The Cherokees, however, remained loyal to him to a man.

This small picked body, turning their backs on their balking comrades, started off to join the horsemen who had

proceeded some days before, ahead, and they did not halt until the banks of the Ohio were almost in sight. Here, after a careful consultation, it was agreed that the further penetration of the country would be inadvisable, and the original object of the expedition was abandoned as impracticable. In two weeks, the entire force that had got this far had arrived safely at their homes in the Colony. The band of deserters, on the other hand, had passed through such a pinch of famine that they had been reduced to the necessity of eating buffalo thongs after softening them in the hot water of a boiling spring which they found on the way. They were forced, by the pangs of starvation, to consume the strings of their moccasins, the belts of their hunting shirts, and the pouches reserved for their shot.

The Valley of Virginia was not so thickly inhabited at this time that, in the emergency of an Indian and French invasion from the west, it would be able to furnish all the men who would be needed for its successful defense. Washington had been long convinced that the strongest barrier that could be raised against such attacks would be a cordon of forts, situated about fifteen miles apart, and extending all the way from the Potomac on the north to the border of Carolina on the south. Dinwiddie was very favorably impressed with this plan and warmly recommended it to the Board of Trade for adoption. By an act of Assembly in 1756, the cordon—which had, no doubt, in the interval received the Board's approval—was ordered to be erected, beginning on the Capon River at the spot where it emptied into the Potomac, and running down, like the links of a chain, to Mayo's River in the modern Halifax County. The forts, fourteen in number, were finished by September, for, during that month, they were inspected by Washington in person. The structures were, respectively, sixty feet square, with two bastions to each fort. Their garrisons ranged from fifty men to seventy; and in no instance did the distance from post to post exceed twenty-five miles or fall below twelve.

In the course of the same year, Fort Loudoun was built on the Tennessee River by Virginians, and two hundred soldiers were stationed there to hold it, and also to overawe the Indians occupying the surrounding region. The fort that had been constructed at Winchester under Washington's supervision bore the same name. This latter stronghold contained four bastions, and also barracks for the accomodation of a garrison of four hundred and twenty men.

CHAPTER XLV

DINWIDDIE'S ADMINISTRATION—CIVIL EVENTS

During the progress of these remarkable events, the Colony of Virginia had declined to cast her vote in favor of that union of all the British communities in America, which Benjamin Franklin, with continental vision, had so earnestly advocated in an intercolonial conference which had been held at Albany. The suggestion seems to have been approved by Dinwiddie, but disapproved by the Assembly. Dinwiddie had already proposed to the English Government that the area of all the colonies should be divided into a Northern district and a Southern district; and that each of these two districts should have the right to call together annually a representative body, whose duty should be to direct and overlook the affairs of that district.

It was a salient characteristic of these times that the attitude of the Virginians towards the importation of slaves grew more and more repugnant. The Assembly, from 1723 to 1759, laid a gradually increasing duty on each head. At first, this duty amounted to five per cent *ad valorem*, but, in the course of the French and Indian war, it advanced to twenty per cent. In order to make the tax really prohibitive, a bill was submitted to raise it to as much as twenty pounds sterling a head; but the governor, under instructions from the Board of Trade, vetoed this bill, as the consummation of a policy that was not to be tolerated. The Virginians deprecated the introduction of more slaves—first, because by augmenting the volume of the production of tobacco, it tended to lower the price of the commodity permanently; and, second, the great number of bondsmen already in the Colony was a

serious cause of apprehension, as there was a constant danger of their rising against their masters. But the Board of Trade opposed all the Assembly's measures of safety or expediency bearing on this vital interest, because, with that body, the prosperity of the African Company and of British shipping enjoyed the superior consideration; and in its judgment, this prosperity was certain to be damaged by a decline, for any reason, in the importation of slaves.

Not infrequently, the authorities in Virginia were not in a mood to accept the dictation of the English Government and openly expressed their opposition to it. When, in 1755, the Privy Council ordered the transmission of one thousand pounds sterling to South Carolina to aid in its defense against an Indian assault—that sum to be appropriated out of the fund already accumulated from the export duty on tobacco—the council at Williamsburg firmly protested, on the ground that this fund had been collected for the benefit of the government in Virginia, and that it would be illegal to divert it to the use of another colony. Moreover, they added, it would require the General Assembly's approval before it could be distributed even for a valid purpose. Richard Corbin, the receiver-general of the Colony, and Hanbury, his agent in London, in accord with instructions which they had received, refused to honor the draft which was drawn on the fund for the amount demanded. The Privy Council was keenly offended by this action, for, in ordering it, the council at Williamsburg, they said, had deliberately disputed a right which the Privy Council undoubtedly possessed as a body sitting as the king's representative. Moreover, that body thought that it was shortsighted conduct on the part of the council in Williamsburg to question the propriety of an appropriation which was really designed as much for the protection of Virginia as for the protection of South Carolina.

To accentuate still more sharply their justifiable rebuke, the Privy Council added, "that it was most unbecoming in the Government of Virginia to sound the alarm on so trifling

an occasion as that of one thousand pounds for Indian service when England was expending millions of pounds for the defense of the colonies." This was an argument which was to be heard again in the first mutterings of the Revolution, and as little consideration was given to it then as was given to it now in 1750.

CHAPTER XLVI

ADMINISTRATION OF FRANCIS FAUQUIER

When Dinwiddie's administration terminated, the Earl of Loudon nominally succeeded him, but John Blair, the President of the Council, really filled the lieutenant-governor's seat during the interval that preceded the arrival of Francis Fauquier.

After the duties of the office had been taken up by the latter, the raids of the French and Indians were renewed with a ferocity that led to the destruction of many lives on the frontiers. Two regiments were now ready to march—one under the command of Colonel Washington; the other, under the command of Colonel William Byrd. The supreme command, however, was possessed by General Forbes, who had been entrusted with the defense of the middle and southern colonies. An expedition was now organized for the capture of Fort Duquesne. By June, 1758, the regiment that was under Washington's orders had reached Fort Cumberland. In opposition to his advice, Forbes decided—through the influence of the Pennsylvanians, who desired a second road to the West—not to pursue the one still in existence that had been opened up by Braddock and his army, but to cut a new highway through the forests by a different route. This determination necessarily entailed delay in the advance of the main body of his troops.

Again in the teeth of Washington's advice, Forbes sent a detachment of eight hundred men, under Major Grant, ahead of the principal column, to attack the garrison in occupation of Fort Duquesne. This detachment was overtaken by the same fatality as Braddock's army—it fell into a similar

ambush; its commander was captured; and two hundred and seventy-three of his soldiers were slain. Of the eight Virginian officers present, five lost their lives; and it was due to the bravery of a Virginian company alone that the baggage was prevented from falling into the enemy's hands.

When the report of this catastrophe was brought to the main column, Washington at once advanced at the head of seven thousand men; but two months were consumed in the slow march to the Ohio River; and that stream was also reached at a point that lay fifty miles from the fort. Owing to the fatigue of the long journey and the approach of winter, it was somewhat ingloriously decided by a council of war to

A handwritten signature in cursive script that reads "Fran: Fauquier". The ink is dark and the handwriting is fluid, with a mix of capital and lowercase letters.

AUTOGRAPH OF FRANCIS FAUQUIER

abandon the expedition for that season. At this moment, information was received through scouts that the garrison at Fort Duquesne had been reduced to five hundred men, and that their Indian allies had returned to their towns. The advance of the troops was resumed, and when they arrived in sight of the stronghold—the attempted capture of which had already cost so much blood—the structure was found to be vacant and on fire. The Frenchmen had retreated down the Ohio. This was in September (1758). The fortification was soon repaired and renamed Fort Pitt. Not long afterwards, General Forbes died in Philadelphia.

Washington returned with his forces to Winchester, and taking up his residence again at Mt. Vernon, accepted an election to the General Assembly. That body, soon after convening, passed a resolution of thanks for his recent military services. In responding, Washington could only falter out his gratitude for the honor. "Sit down, Mr. Washington," said the speaker noticing his confusion. "Sit down. Your

modesty equals your valour, and that surpasses the power of any language I possess.”

Washington had recently married the widow of John Parke Custis, who was the daughter of John Dandridge, a lady destined to become, with the possible exception of Pocahontas, the most famous woman in American history.

In 1755, there was a failure of the tobacco crop. This fell heavily on the Colony, as the debts incurred during the French and Indian war were now pressing for payment. To afford some relief, the General Assembly passed a law that all debts payable in tobacco should thereafter be settled either in tobacco or in money, at the rate of eight shillings and eight-pence the one hundred pounds. This law was reenacted in 1758—with the further provision that it was to continue on the statute book one year longer. The clergy alone resisted its requirements. Up to 1754, they had received as their annual salary sixteen thousand pounds of tobacco. During this long interval, the price of this commodity had been high, and they had offered no objection to that amount.

Whenever the King approved an act of Assembly, this act could not be repealed unless a clause was inserted in the repealing act to the effect that the act repealed was simply suspended until the King should have an opportunity to pass upon this suspension. As the act of 1758, already referred to, was a repealing act, it required that the rule just mentioned should be followed, but it was not so followed, and the clergy, therefore, claimed that, through this failure, that act was invalid.

Rev. John Camm, of York Hampton Parish, took up the cudgels for his fellows. He was sent to England by them, and was successful in obtaining an order of Council declaring the act of 1758 illegal; and returning home with the document in his pocket he brought suit for the market value of the tobacco which had been assigned to him as his salary. He lost in both the County and the General Court. Appealing to the King and Privy Council, his petition was dismissed on a

technicality, but, in reality, because the Colony was in a state of great excitement over the recent repeal of the unpopular Stamp Act. Other ministers of the Gospel, however, had followed Camm's example and sued for their salaries. The most famous of these suits was the Parson's Cause, the argument in which by Patrick Henry sounded the first note from the firebell of the Revolution.

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APPENDIX

CHARTER OF 1606

“Letters Patent to Sir Thomas Gates, Sir George Somers and others, for two several Colonies and Plantations, to be made in Virginia, and other parts and Territories of America. Dated April 10, 1606.¹

“I. James, by the grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. Whereas our loving and well-disposed subjects, Sir Thomas Gates, and Sir George Somers, Knights, Richard Hackluit, clerk, Prebendary of Westminster, and Edward-Maria Wingfield, Thomas Hanham, and Raleigh Gilbert, Esqrs., William Parker and George Popham, gentlemen, and divers others of our loving subjects, have been humble suitors unto us, that we would vouch safe unto them our licence, to make habitation, plantation, and to deduce a colony of sundry of our

¹The two companies for planting colonies in South and North Virginia were both incorporated by this one charter.

The first colony was authorized to locate their plantation “in some fit and convenient place,” between 34° and 41° north latitude, and when so located the charter granted them fifty miles north and fifty miles south of said location, as well as one hundred miles to sea and one hundred miles within land. And the second colony was authorized to locate their plantation between 38° and 45° north latitude, and were granted in like manner fifty miles north and fifty miles south of said location, etc. Provided, however, that they should not plant within one hundred miles of each other. This clause has frequently been the subject of remark; but as one colony was to extend fifty miles north of their first plantation, and the other fifty miles south of theirs, the clause was necessary to prevent a possible conflict of bounds between the two companies.

people into that part of America, commonly called Virginia, and other parts and territories in America, either appertaining unto us, or which are not now actually possessed by any christian prince or people, situate, lying, and being all along the sea coasts, between four and thirty degrees of Northerly latitude from the Equinoctial line, and five and forty degrees of the same latitude, and in the main land between the same four and thirty and five and forty degrees, and the islands thereunto adjacent, or within one hundred miles of the coasts thereof.

“II. And to that end, and for the more speedy accomplishment of their said intended plantation and habitation there, are desirous to divide themselves into two several colonies and companies; the one consisting of certain Knights, gentlemen, merchants, and other adventurers, of our city of London and elsewhere, which are and from time to time shall be, joined unto them, which do desire to begin their plantation and habitation in some fit and convenient place, between four and thirty and one and forty degrees of the said latitude, amongst the coasts of Virginia and coast of America aforesaid; and the other consisting of sundry Knights, gentlemen, merchants, and other adventurers of our cities of Bristol and Exeter, and of our town of Plimouth, and of other places, which do join themselves unto that Colony, which do desire to begin their Plantation and habitation in some fit and convenient place, between eight and thirty degrees and five and forty degrees of the said latitude, all amongst the said coast of Virginia and America, as that coast lyeth.

“III. We greatly commending, and graciously accepting of, their desires for the furtherance of so noble a work, which may, by the providence of Almighty God, hereafter tend to the glory of his divine Majesty, in propagating of Christian religion to such people, as yet live in darkness and miserable ignorance of the true knowledge and worship of God, and may in time bring the infidels and savages, living in those parts, to human civility, and to a settled and quiet govern-

ment; Do by these our letters pattents, graciously accept of, and agree to, their humble and well intended desires;

“IV. And do therefore, for us, our heirs, and successors, grant and agree, that the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, adventurers of and for our city of London, and all such others, as are, or shall be joined unto them of that Colony, shall be called the first Colony; and they shall and may begin their said first plantation and habitation at any place upon the said coast of Virginia or America, where they shall think fit and convenient, between the said four and thirty and one and forty degrees of the said latitude; and that they shall have all the lands, woods, soil, grounds, havens, ports, rivers, mines, minerals, marshes, waters, fishings, commodities, and hereditaments, whatsoever, from the said first seat of their plantation and habitation by the space of fifty miles of English statute measure, all along the said coast of Virginia and America, towards the west and south-west, as the coast lyeth, with all the islands within one hundred miles directly over against the same sea coast; and also all the lands, soil, grounds, havens, ports, rivers, mines, minerals, woods, waters, marshes, fishing, commodities, and hereditaments, whatsoever, from the said place of their first plantation and habitation for the space of fifty like English miles, all alongst the said coast of Virginia and America, towards the east and north-east, or towards the north, as the coast lyeth, together with all the islands within one hundred miles, directly over against the said sea coast, and also all the lands, woods, soil, grounds, havens, ports, rivers, mines, minerals, marshes, waters, fishings, commodities, and hereditaments, whatsoever from the same fifty miles every way on the sea coast, directly into the main land by the space of one hundred like English miles; and shall and may inhabit and fortify within any the same, for their better safeguard and defence, according to their best discretion and the discretion of the council of that colony; and that no other of our subjects

shall be permitted, or suffered to plant or inhabit behind, or on the backside of them, towards the main land, without the express licence or consent of the council of that colony, thereunto in writing first had and obtained.

“V. And we do likewise, for us, our heirs, and successors, by these presents, grant and agree, that the said Thomas Hanham, and Raleigh Gilbert, William Parker and George Popham, and all others of the town of Plimouth in the county of Devon, or elsewhere, which are, or shall be, joined unto them of that colony, shall be called the second colony; and that they shall and may begin their said Plantation and seat of their first abode and habitation, at any place upon the said coast of Virginia and America, where they shall think fit and convenient, between eight and thirty degrees of the said latitude, and five and forty degrees of the same latitude; and that they shall have all the lands, &c. [as granted to the first colony. Sec. IV.].

“VI. Provided always, and our will and pleasure herein is, that the plantation and habitation of such of the said colonies, as shall last plant themselves, as aforesaid shall not be made within one hundred like English miles of the other of them, that first began to make their plantation as aforesaid.

“VII. And we do also ordain, establish, and agree, for us, our heirs, and successors, that each of the said colonies shall have a Council, which shall govern and order all matters and causes, which shall arise, grow or happen, to or within the same several colonies, according to such laws, ordinances, and instructions as shall be in that behalf, given and signed with our hand or sign manuel, and pass under the privy seal of our realm of England; each of which Councils shall consist of thirteen persons, to be ordained, made, and removed from time to time, according as shall be directed and comprised in the same instructions; and shall have a several seal, for all matters that shall pass or concern the same several councils; each of which seals shall have the

King's arms engraved on the one side thereof, and his portraiture on the other; and that the seal for the council of the said first colony shall have engraven round about, on the one side, these words; *Sigillum Regis Magnæ Britanniae, Franciæ, et Hiberniæ*; on the other side this inscription round about; *Pro Concilio primæ Coloniae Virginiae*. And the seal for the council of the said second colony shall also have engraven, round about the one side thereof, the aforesaid words; *Sigillum Regis Magnæ Britanniae, Franciæ, et Hiberniæ*; and on the other side; *Pro Concilio secundæ Coloniae Virginiae*.

“VIII. And that also there shall be a council established here in England, which shall, in like manner, consist of thirteen persons to be, for that purpose, appointed by us, our heirs, and successors, which shall be called our Council of Virginia; and shall, from time to time, have the superior managing and direction, only of and for all matters that shall or may concern the government, as well of the said several colonies,² as of and for any other part or place, within the aforesaid precincts of four and thirty and five and forty degrees, above-mentioned; which council shall, in like man-

²It must here be especially noted that under this charter the whole of North America between 34° and 45° north latitude, commonly called Virginia, was claimed by the king of England, and that the whole of this Virginia, including the said very limited grants to the two companies, was placed under the management of one and the same Royal Council of Virginia. About 2,000,000 square miles were claimed by the crown, of which only 20,000 square miles were granted to both companies.

This charter virtually attaches this portion of North America to the crown of Great Britain, placing it at once “next under the King,” under the government of his Royal Council of Virginia. And while it virtually asserts that this part was then unpossessed by, or that England had more right to it than, any other Christian nation, it apparently concedes to Spain all the mainland south of 34°, and to France all north of 45° north latitude. See also LXXXIV. and CIV. In many respects it is a very important document; but as a charter for colonization it was mainly experimental, and as experience revealed its imperfections they were corrected by subsequent charters. It remained, however, the basis of England's claim to America between 34° and 45° north latitude.

ner, have a seal,³ for matters concerning the council or colonies, with the like arms and portraiture, as aforesaid, with this inscription engraven round about on the one side; *Sigillum Regis Magnæ Britannię, Franciæ, et Hibernię*; and round about the other side, *Pro Concilio suo Virginie*.

“IX. And moreover, we do grant and agree, for us, our heirs and successors, that the said several councils, of and for the said several colonies, shall and lawfully may, by virtue hereof, from time to time, without any interruption of us, our heirs or successors, give and take order, to dig, mine, and search for all manner of mines of gold, silver, and copper, as well within any part of their said several colonies, as of the said main lands on the backside of the same colonies; and to have and enjoy the gold, silver, and copper, to be gotten thereof, to the use and behoof of the same colonies, and the plantations thereof; yielding therefore, to us, our heirs and successors, the fifth part only of all the same gold and silver, and the fifteenth part of all the same copper, so to be gotten or had, as is aforesaid, without any other manner of profit or account, to be given or yielded to us, our heirs, or successors, for or in respect of the same.

“X. And they shall, or lawfully may, establish and cause to be made a coin, to pass current there between the people of those several colonies, for the more ease of traffick and bargaining between and amongst them and the natives there,

³The above cut represents both sides of the seal of “His Majesties Council of Virginia.” The seals of the councils of the two colonies were exactly like the above, save that in the place of “*Pro consilio suo Virginie*,” the first colony had “*Pro Consilio Primæ Colonie Virginie*,” and the second colony, “*Pro Consilio secundæ Colonie Virginie*.” Prior to November, 1619, the Virginia Company of London had adopted no special seal. In the dissensions of 1623, the fifth charge made against Sir Thomas Smythe was, “That there was no publique seale made for the company in Sir T. S. tyme: nor no divisions of land.”

To which Sir Thomas Smythe answered:—

“There were many divisions of land made: but true it is the Colony was not so scattered as since.

“As for the seale that which was then used was the seale made for the Counsell of Virginia by his Majesties own appointment.”

of such metal, and in such manner and form, as the said several councils there shall limit and appoint.

“XI. And we do likewise, for us, our heirs, and successors, by these presents, give full power and authority to the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, Edward-Maria Wingfield, Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and to every of them, and to the said several companies, plantations, and colonies, that they, and every of them, shall and may at all and every time and times hereafter, have, take, and lead in the said voyage, and for and towards the said several plantations and colonies, and to travel thitherward, and to abide and inhabit there, in every the said colonies and plantations, such and so many of our subjects, as shall willingly accompany them or any of them in the said voyage and plantations; with sufficient shipping, and furniture of armour, weapons, ordnance, powder, victual, and all other things, necessary for the said plantations, and for their use and defence there.

“Provided always, That none of the said persons be such as shall hereafter be specially restrained by us, our heirs, or successors.

“XII. Moreover, we do, by these presents, for us, our heirs, and successors, give and grant licence unto the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, Edward-Maria Wingfield, Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and to every of the said colonies, that they, and every of them, shall and may, from time to time, and at all times for ever hereafter, for their several defences, encounter, expulse, repel and resist, as well by sea as by land, by all ways and means whatsoever, all and every such person and persons, as without the especial licence of the said several colonies and plantations, shall attempt to inhabit within the said several precincts and limits of the said several colonies and plantations, or any of them, or that shall enterprise or attempt, at any time here-

after, the hurt, detriment, or annoyance of the said several colonies or plantations:

“XIII. Giving and granting by these presents, unto the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, Edward-Maria Wingfield, and their associates of the said first colony, and unto the said Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and their associates of the said second colony, and to every of them, from time to time, and at all times forever hereafter power and authority to take and surprise by all ways and means whatsoever, all and every person and persons, with their ships, vessels, goods, and other furniture, which shall be found trafficking, into any harbour or harbours, creek or creeks, or place, within the limits or precincts of the said several colonies and plantations, not being of the same colony, until such time, as they, being of any realms or dominions under our obedience, shall pay, or agree to pay, to the hands of the Treasurer of that colony, within whose limits and precincts they shall so traffick, two and a half upon every hundred, of anything, so by them trafficked, bought, or sold; and being strangers, and not subjects under our obedience, until they shall pay five upon every hundred, of such wares and merchandises, as they shall traffick, buy, or sell, within the precincts of the said several colonies, wherein they shall so traffick, buy, or sell as aforesaid; which sums of money, or benefit, as aforesaid, for and during the space of one and twenty years, next ensuing the date hereof, shall be wholly employed to the use, benefit, and behoof of the said several plantations, where such traffick shall be made; and after the said one and twenty years ended, the same shall be taken to the use of us, our heirs, and successors, by such officers and ministers, as by us, our heirs, and successors, shall be thereunto assigned or appointed.

“XIV. And we do further, by these presents, for us, our heirs, and successors, give and grant unto the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, and to their associates of the said

first colony and plantation, and to the said Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, and their associates of the said second colony and plantation, that they, and every of them, by their deputies, ministers, and factors, may transport the goods, chattels, armour, munition, and furniture, needful to be used by them, for their said apparel, food, defence, or otherwise in respect of the said plantations, out of our realms of England and Ireland, and all other our dominions, from time to time, for and during the time of seven years, next ensuing the date hereof, for the better relief of the said several colonies and plantations, without any custom, subsidy, or other duty, unto us, our heirs, or successors, to be yielded or paid for the same.

“XV. Also we do, for us, our heirs, and successors, declare, by these presents, that all and every the persons, being our subjects, which shall dwell and inhabit within every or any of the said several colonies and plantations, and every of their children, which shall happen to be born within any of the limits and precincts of the said several colonies and plantations, shall have and enjoy all liberties, franchises, and immunities, within any of our other dominions, to all intents and purposes, as if they had been abiding and born, within this our realm of England, or any other of our said dominions.

“XVI. Moreover, our gracious will and pleasure is, and we do, by these presents, for us, our heirs, and successors, declare, and set forth, that if any person or persons, which shall be of any of the said colonies and plantations, or any other, which shall traffick to the said colonies and plantations, or any of them, shall, at any time or times hereafter, transport any wares, merchandises, or commodities, out of any our dominions, with a pretence to land, sell, or otherwise dispose of the same, within any the limits and precincts of any the said colonies and plantations, and yet nevertheless, being at sea, or after he hath landed the same within any of the said colonies and plantations, shall carry the same into

any other foreign country, with a purpose there to sell or dispose of the same, without the licence of us, our heirs, and successors, in that behalf first had and obtained; that then, all the goods and chattels of such person or persons, so offending and transporting, together with the said ship or vessel, wherein such transportation was made, shall be forfeited to us, our heirs, and successors.

“XVII. Provided always, and our will and pleasure is, and we do hereby declare to all Christian kings, princes, and states, that if any person or persons, which shall hereafter be of any of the said several colonies, and plantations, or any other, by his, their or any of their licence and appointment, shall, at any time or times hereafter, rob or spoil, by sea or by land, or do any act of unjust and unlawful hostility, to any the subjects of us, our heirs, or successors, or any the subjects of any King, Prince, ruler, governor, or state, being then in league or amity with us, our heirs, or successors, and that upon such injury, or upon just complaint of such prince, ruler, governor, or state, or their subjects, we, our heirs, or successors, shall make open proclamation, within any of the ports of our realm of England, commodious for that purpose, that the person or persons, having committed any such robbery or spoil, shall, within the term to be limited by such proclamations, make full restitution or satisfaction of all such injuries done, so as the said princes, or others, so complaining, may hold themselves fully satisfied and contented; and that, if the said person or persons, having committed such Robbery or spoil, shall not make, or cause to be made, satisfaction accordingly, within such time so to be limited, that then it shall be lawful to us, our heirs, and successors, to put the said person or persons, having committed such robbery or spoil, and their procurers, abettors, or comforters, out of our allegiance and protection; and that it shall be lawful and free for all princes and others, to pursue with hostility the said offenders, and every of

them, and their and every of their procurers, aiders, abettors, and comforters, in that behalf.

“XVIII. And finally, we do, for us, our heirs, and successors, grant and agree, to and with the said Sir Thomas Gates, Sir George Somers, Richard Hackluit, and Edward-Maria Wingfield, and all others of the said first colony, that we, our heirs, and successors, upon petition in that behalf to be made, shall, by letters patent under the great seal of England, give and grant unto such persons, their heirs, and assigns, as the council of that colony, or the most part of them, shall, for that purpose nominate and assign, all the lands, tenements, and hereditaments, which shall be within the precincts limited for that colony, as is aforesaid, to be holden of us, our heirs, and successors, as of our manor of East-Greenwich in the county of Kent, in free and common soccage only, and not in capite:

“XIX. And do, &c. [Same grant as XVIII. to 2d colony.]

“All which lands, tenements and hereditaments so to be passed by the said several letters patent, shall be sufficient assurance from the said patentees, so distributed and divided amongst the undertakers for the plantation of the said several colonies, and such as shall make their plantations in either of the said several colonies, in such manner and form, and for such estates, as shall be ordered and set down by the council of the said colony, or the most part of them, respectively, within which the same lands, tenements and hereditaments shall lye or be; although express mention of the true yearly value or certainty of the premises or any of them, or of any other gifts or grants, by us, or any of our progenitors or predecessors, to the aforesaid Sir Thomas Gates, Knight, Sir George Somers, Knight, Richard Hackluit, Edward-Maria Wingfield, Thomas Hanham, Raleigh Gilbert, William Parker, and George Popham, or any of them, heretofore made in these presents, is not made; or any statute, act, ordinance, or provision, proclamation, or restraint, to the contrary hereof

had, made, ordained, or any other thing, cause, or matter whatsoever, in any wise notwithstanding.

“In witness whereof, we have caused these our letters to be made patents; Witness ourself at Westminster, the tenth day of April, in the fourth year of our reign of England, France, and Ireland, and of Scotland the nine and thirtieth.

“LUKIN.

“*Per breve de privato Sigillo.*”

SECOND CHARTER OF VIRGINIA, 1609

“The Second Charter to The Treasurer and Company, for Virginia, erecting them into a Corporation and Body Politic, and for the further enlargement and explanation of the privileges of the said Company and first Colony of Virginia. Dated May 23d. 1609. 7. James.

“Article I. [a Recital of the first charter, &c.]

“II. Now, forasmuch as divers and sundry of our loving subjects, as well adventurers, as planters, of the said first colony, which have already engaged themselves in furthering the business of the said colony and plantation, and do further intend, by the assistance of Almighty God, to prosecute the same to a happy end, have of late been humble suitors unto us, that (in respect of their great charges and the adventure of many of their lives, which they have hazarded in the said discovery and plantation of the said country) we would be pleased to grant them a further enlargement and explanation of the said grant, privileges, and liberties, and that such counsellors, and other officers, may be appointed amongst them, to manage and direct their affairs, as are willing and ready to adventure with them, as also whose dwellings are not so far remote from the city of London, but that they may, at convenient times, be ready at hand, to give their advice and assistance, upon all occasions requisite.

“III. We, greatly affecting the effectual prosecution and happy success of the said Plantation, and commending their good desires therein, for their further encouragement in accomplishing so excellent a work, much pleasing to God, and profitable to our Kingdom, do, of our special grace and certain Knowledge, and mere motion, for us, our heirs, and successors,

give, grant, and confirm, to our trusty and well beloved subjects,

Robert [Cecil],	Earl of Salisbury,
Thomas [Howard],	“ “ Suffolk,
Henry [Wriothesley],	“ “ Southampton,
William [Herbert],	“ “ Pembroke,
Henry [Clinton],	“ “ Lincoln,
Richard [Sackville],	“ “ Dorset,
Thomas [Cecil],	“ “ Exeter,
Philip [Herbert],	“ “ Montgomery,
Robert [Sydney],	Lord Viscount Lisle,
Theophilus,	Lord Howard of Walden,
James [Montague],	Lord Bishop of Bath and Wells,
Edward,	Lord Zouche,
Thomas [West]	Lord Lawarr,
William [Parker],	“ Mounteagle,
Ralph [Eure],	“ Ewre,
Edmond [Sheffield],	“ Sheffield,
Grey [Brydges],	“ Chandois,
[William Compton],	“ Compton,
John [Petre],	“ Petre,
John [Stanhope],	“ Stanhope,
George [Carew],	“ Carew,
Sir Humphrey Weld, Lord Mayor of London,	
George Percie, Esq,	
Sir Edward Cecil, Knt.,	
“ George Wharton “	
Francis West, esq,	
Sir William Wade,	Knt,
“ Henry Nevil,	“
“ Thomas Smith,	“
“ Oliver Cromwell,	“
“ Peter Manwood,	“
“ Drue Drury,	“
“ John Scott,	“

Sir Thomas Challoner	Knt,
“ Robert Drury,	“
“ Anthony Cope,	“
“ Horatio Vere,	“
“ Edward Conway,	“
“ William Brown,	“
“ Maurice Berkeley,	“
“ Robert Mansel,	“
“ Amias Preston,	“
“ Thomas Gates,	“
“ Anthony Ashly,	“
“ Michael Sondes,	“
“ Henry Carey,	“
“ Stephen Soame,	“
“ Calisthenes Brooke,	“
“ Edward Michelborn,	“
“ John Ratcliffe,	“
“ Charles Wilmot,	“
“ George Moor,	“
“ Hugh Wirral,	“
“ Thomas Dennis,	“
“ John Holles,	“
“ Thomas Monson,	“
“ William Godolphin,	“
“ Thomas Ridgway,	“
“ John Brooke,	“
“ Robert Killigrew,	“
“ Henry Peyton,	“
“ Richard Williamson,	“
“ Ferdinando Weynman,	“
“ William St. John,	“
“ Thomas Holcroft,	“
“ John Mallory,	“
“ Roger Ashton,	“
“ Walter Cope,	“
“ Richard Wigmore,	“

Sir William Coke	Knt,
“ Herbert Crofte,	“
“ Henry Fanshawe,	“
“ John Smith,	“
“ Francis Wolley,	“
“ Edward Waterhouse,	“
“ Henry Seckford,	“
“ Edwin Sandys,	“
“ Thomas Waynam,	“
“ John Trevor,	“
“ Warwick Heele,	“
“ Robert Wroth,	“
“ John Townsend,	“
“ Christopher Perkins,	“
“ Daniel Dun,	“
“ Henry Hobart,	“
“ Francis Bacon,	“
“ Henry Montague,	“
“ George Coppin,	“
“ Samuel Sandys,	“
“ Thomas Roe,	“
“ George Somers,	“
“ Thomas Freake,	“
“ Thomas Harwell,	“
“ Charles Kelke,	“
“ Baptist Hicks,	“
“ John Watts,	“
“ Robert Carey,	“
“ William Romney,	“
“ Thomas Middleton,	“
“ Hatton Cheeke,	“
“ John Ogle,	“
“ Cavallero Meycot,	“
“ Stephen Riddlesdon,	“
“ Thomas Bludder,	“
“ Anthony Aucher,	“

Sir Robert Johnson,	Knt,
“ Thomas Panton,	“
“ Charles Morgan,	“
“ Stephen Pole,	“
“ John Burlacie,	“
“ Christopher Cleave,	“
“ George Hayward,	“
“ John Davis,	“
“ Thomas Sutton,	“
“ Anthony Forest,	“
“ Robert Payne,	“
“ John Digby,	“
“ Dudley Digges,	“
“ Rowland Cotton,	“
Dr. Matthew Sutcliffe,	
“ [James] Meadows,	
“ [Peter] Turner,	
“ [Leonard] Poe,	
Captain, Pagnam,	
“ Jeffrey Holcrofte,	
“ ———Rommey,	
“ Henry Spry,	
“ ——— Shelton,	
“ ——— Sparks,	
“ Thomas Wyat,	
“ ——— Brinsly,	
“ William Courtney,	
“ ——— Herbert,	
“ ——— Clarke,	
“ ——— Dewhurst,	
“ John Blundell,	
“ ——— Fryer,	
“ Lewis Orwell,	
“ Edward Loyd,	
“ ——— Slingsby,	
“ ——— Hawley,	

Captain —— Orme,
 “ —— Woodhouse,
 “ —— Mason,
 “ Thomas Holcroft,
 “ John Coke,
 “ —— Holles,
 “ William Proude,
 “ Henry Woodhouse,
 “ Richard Lindesey,
 “ —— Dexter,
 “ William Winter,
 “ —— Pearse,
 “ John Bingham,
 “ —— Burray,
 “ Thomas Conway,
 “ —— Rookwood,
 “ William Lovelace,
 “ John Ashley,
 “ Thomas Wynne,
 “ Thomas Mewtis,
 “ Edward Harwood,
 “ Michael Everard,
 “ —— Comock,
 “ —— Mills,
 “ —— Pigot,
 “ Edward-Maria Wingfield,
 “ Christopher Newport,
 “ John Sicklemore, alias Ratcliffe,
 “ John Smith,
 “ John Martin,
 “ Peter Wynne,
 “ [Richard] Waldoe,
 “ Thomas Wood,
 “ Thomas Button,
 George Bolls, Esq., Sheriff of London,
 William Crashaw, Clerk, Bachelor of Divinity,

William Seabright,	Esq.
Christopher Brooke	“
John Bingley	“
Thomas Watson	“
Richard Percival	“
John Moore	“
Hugh Brooker	“
David Woodhouse	“
Anthony Aucher	“
Robert Bowyer	“
Ralph Ewens	“
Zachery Jones	“
George Calvert	“
William Dobson	“
Henry Reynolds	“
Thomas Walker	“
Anthony Barnars	“
Thomas Sandys	“
Henry Sandys	“
Richard Sandys	“ , son of Sir Edwin Sandys,
William Oxenbridge	“
John Moore	“
Thomas Wilson	“
John Bullock	“
John Waller	“
Thomas Webb,	
Jehu Robinson,	
William Brewster,	
Robert Evelyn,	
Henry Danby,	
Richard Hackluit, minister,	
John Eldred, merchant,	
William Russel,	“
John Merrick,	“
Richard Banister,	“
Charles Anthony, goldsmith,	

John Banks,
William Evans,
Richard Humble,
Richard Chamberlayne, merchant,
Thomas Barber, “
Richard Pomet, “
John Fletcher, “
Thomas Nicholls, “
John Stoke, “
Gabriel Archer,
Francis Covel,
William Bonham,
Edward Harrison,
John Wolstenholme,
Nicholas Salter,
Hugh Evans,
William Barnes,
Otho Mawdet,
Richard Staper, merchant,
John Elkin, “
William Coyse,
Thomas Perkin, cooper,
Humphry James, “
Henry Jackson,
Robert Singleton,
Christopher Nicholls,
John Harper,
Abraham Chamberlayne,
Thomas Shipton,
Thomas Carpenter,
Anthony Crew,
George Holman,
Robert Hill,
Cleophas Smith,
Ralph Harrison,
John Farmer,

James Brearley,
William Crosby,
Richard Cox,
John Gearing,
Richard Strongarm, Ironmonger,
Thomas Langton,
Griffith Hinton,
Richard Ironsides,
Richard Dean,
Richard Turner,
William Lawson, Mercer,
James Chatfield,
Edward Allen,
Tedder Roberts,
Hildebrand Sprinson,
Arthur Mowse,
John Gardiner,
James, Russel,
Richard Caswell,
Richard Evans,
John Hawkins,
Richard Kerril,
Richard Brooke,
Matthew Scrivener, gentleman,
William Stallenge “
Arthur Venn, “
Sandys Webbe, “
Michael Phettiplace, “
William Phettiplace, “
Ambrose Prusey, “
John Taverner, “
George Pretty, “
Peter Latham, “
Thomas Montford, “
William Cantrel, “
Richard Wiffin, “
Ralph Moreton, “

John Cornelius,
Martin Freeman,
Ralph Freeman,
Andrew Moore,
Thomas White,
Edward Perkin,
Robert Offley,
Thomas Whitley,
George Pit,
Robert Parkhurst,
Thomas Morris,
Peter Harloe,
Jeffry Duppa,
John Gilbert,
William Hancock,
Matthew Brown,
Francis Tyrrel,
Randal Carter,
Othowell Smith,
Thomas Hamond,
Martin Bond, Haberdasher,
John Moulsoe,
Robert Johnson,
William Young,
John Woodal,
William Felgate,
Humfrey Westwood,
Richard Champion,
Henry Robinson,
Francis Mapes,
William Sambach,
Ralegh Crashaw,
Daniel Tucker,
Thomas Grave,
Hugh Willeston,
Thomas Culpepper, of Wigsell Esq,

John Culpepper, gentleman
Henry Lee,
Josias Kirton, gentleman,
John Pory, “
Henry Collins,
George Burton,
William Atkinson,
Thomas Forest,
John Russel,
John Holt,
Harman Harrison,
Gabriel Beedel,
John Beedel,
Henry Dawkes,
George Scot,
Edward Fleetwood, gentleman,
Richard Rogers, “
Arthur Robinson,
Robert Robinson,
John Huntley,
John Grey,
William Payne,
William Field,
William Wattey,
William Webster,
John Dingley,
Thomas Draper,
Richard Glanvil,
Arnold Lulls,
Henry Roe,
William More,
Nicholas Gryce,
James Monger,
Nicholas Andrews,
Jeremy Hayden, Ironmonger,
Philip Durette,

John Quarles,
John West,
Matthew Springham,
John Johnson,
Christopher Hore,
Thomas Snead,
George Berkeley,
Arthur Pet,
Thomas Careles,
William Berkeley,
Thomas Johnson,
Alexander Bents,
Captain William King,
George Sandys, gentleman,
James White, “
Edmond Wynne,
Charles Towler,
Richard Reynold,
Edward Webb,
Richard Maplesden,
Thomas Lever,
David Bourne,
Thomas Wood,
Ralph Hamer,
Edward Barnes, Mercer,
John Wright, “
Robert Middleton,
Edward Littlefield,
Katharine West,
Thomas Web,
Ralph King,
Robert Coppin,
James Askew,
Christopher Holt,
William Bardwell,
Alexander Chiles,

Lewis Tate,
Edward Ditchfield,
James Swifte,
Richard Widdowes, goldsmith,
Edmond Brudenell,
Edward Burwell,
John Hansford,
Edward Wooller,
William Palmer, Haberdasher,
John Badger,
John Hodgson,
Peter Mounsel,
John Carril,
John Busbridge,
William Dun,
Thomas Johnson,
Nicholas Benson,
Thomas Shipton,
Nathaniel Wade,
Randal Wetwood,
Matthew Dequester,
Charles Hawkins,
Hugh Hamersley,
Abraham Cartwright,
George Bennet,
William Cater,
Richard Goddart,
Henry Cromwell,
Phineas Pet,
Robert Cooper,
John Cooper,
Henry Newce,
Edward Wilkes,
Robert Bateman,
Nicholas Ferrar,
John Newhouse,

John Cason,
Thomas Harris, gentleman,
George Etheridge, “
Thomas Mayle, “
Richard Stafford,
Thomas ———,
Richard Cooper,
John Westraw,
Edward Welch,
Thomas Britain,
Thomas Knowles,
Octavian Thorne,
Edmond Smith,
John March,
Edward Carew,
Thomas Pleydall,
Richard Let,
Miles Palmer,
Henry Price,
John Joshua, gentleman,
William Clauday,
Jeremy Pearsye,
John Bree, gentleman,
William Hampson,
Christopher Pickford,
Thomas Hunt,
Thomas Truston,
Christopher Salmon,
John Howard, clerk,
Richard Partridge,
Allen Cassen,
Felix Wilson,
Thomas Bathurst,
George Wilmer,
Andrew Wilmer,
Maurice Lewellin,

Thomas Godwin,
Peter Burgoyne,
Thomas Burgoyne,
Robert Burgoyne,
Robert Smith, merchant-taylor,
Edward Cage, grocer,
Thomas Cannon, gentleman,
William Welby, Stationer,
Clement Wilmer, gentleman,
John Clapham, “
Giles Francis, “
George Walker, Sadler,
John Swinhow, Stationer,
Edward Bishop, “
Leonard White, gentleman,
Christopher Baron,
Peter Benson,
Richard Smith,
George Proctor, minister,
Millicent Ramsden, widow,
Joseph Soane,
Thomas Hinshaw,
John Baker,
Robert Thornton,
John Davis,
Edward Facet,
George Newce, gentleman,
John Robinson,
Captain Thomas Wood,
William Brown Shoemaker,
Robert Barker, “
Robert Pennington,
Francis Burley, minister,
William Quick, grocer,
Edward Lewis, “
Laurence Campe, Draper,

Aden Perkins, grocer,
Richard Shepherd, preacher,
William Shacley, Haberdasher,
William Taylor, “
Edwin Lukin, gentleman,
John Franklyn, Haberdasher,
John Southwick,
Peter Peate,
George Johan, Ironmonger,
George Yeardley, gentleman,
Henry Shelley,
John Prat,
Thomas Church, draper,
William Powell, gentleman,
Richard Frith, “
Thomas Wheeler, draper,
Francis Haselrig, gentleman,
Hugh Shipley, “
John Andrews, the Elder, Doctor of Cambridge,
Francis Whistler, gentleman,
John Vassal, “
Richard Howle,
Edward Berkeley, gentleman,
Richard Keneridgburg, “
Nicholas Exton, Draper,
William Bennet, Fishmonger,
James Haywood, merchant,
Nicholas Isaac “
William Gibbs “
—— Bishop,
Bernard Mitchel,
Isaac Mitchel,
John Streate,
Edward Gall,
John Martin, gentleman,
Thomas Fox,

Luke Lodge,
John Woodliffe, gentleman,
Richard Webb,
Vincent Low,
Samuel Burnham,
Edmund Pears, Haberdasher,
John Googe,
John St. John,
Edward Vaughan,
William Dunn,
Thomas Alcocke,
John Andrews, the Younger of Cambridge,
Samuel Smith,
Thomas Gerrard,
Thomas Whittingham,
William Canning,
Paul Canning,
George Chandler,
Henry Vincent,
Thomas Ketley,
James Skelton,
James Mountaine,
George Webb, gentleman,
Joseph Newbridge, smith,
Josiah Maud,
Captain Ralph Hamer, the Younger,
Edward Brewster, the son of William Brewster,
Leonard Harwood, mercer,
Philip Druerdent,
William Carpenter,
Tristian Hill,
Robert Cock, grocer,
Laurence Green “
Daniel Winch “
Humphrey Stile “
Averie Drausfield “

Edward Hodges	grocer,
Edward Beale	“
Thomas Cutler	“
Ralph Bushby	“
John Whittingham	“
John Hide	“
Matthew Shepherd	“
Thomas Allen	“
Richard Hooker	“
Lawrence Munks	“
John Tanner	“
Peter Gate	“
John Blunt	“
Robert Phips	“
Robert Berrisford	“
Thomas Wells	“
John Ellis	“
Henry Colthurst	“
John Cavady	“
Thomas Jennings	“
Edmond Pashall	“
Timothy Bathurst	“
Giles Parslow	“
Robert Mildmay	“
Richard Johnson	“
William Johnson,	Vintner,
Ezekiel Smith,	
Richard Martin,	
William Sharpe,	
Robert Rich,	
William Stannard,	Innholder,
John Stocken,	
William Strachey,	gentleman,
George, Farmer,	“
Thomas Gypes,	Clothworker,
Abraham Dawes,	gentleman,

Thomas Bocket, gentleman,
George Bache, fishmonger,
John Dike, “
Henry Spranger,
Richard Farrington,
Christopher Vertue, Vintner,
Thomas Bayley “
George Robins, “
Tobias Hinson, grocer,
Urian Spencer,
Clement Chicheley
John Scarpe, gentleman,
James Campbell, Ironmonger,
Christopher Clitheroe, “
Philip Jacobson,
Peter Jacobson of Antwerp,
William Berkeley,
Miles Banks, cutler,
Peter Higgons, grocer,
Henry John, gentleman,
John Stokeley, merchant-taylor,
The Company of Mercers,
Grocers,
Drapers,
Fishmongers,
Goldsmiths,
Skinners,
Merchant-taylors,
Haberdashers,
Salters,
Ironmongers,
Vintners,
Clothworkers,
Dyers,
Brewers,
Leathersellers,

The Company of Pewterers,
Cutlers,
Whitebakers,
Wax-chandlers,
Tallow-chandlers,
Armorers,
Girdlers,
Butchers,
Sadlers,
Carpenters,
Cordwayners,
Barber-Chirurgeons,
Paint-Stainers,
Curriers,
Masons,
Plumbers,
Inholders,
Founders,
Poulterers,
Cooks,
Coopers,
Tylers and Bricklayers,
Bowyers,
Fletchers,
Blacksmiths,
Joiners,
Weavers,
Woolmen,
Woodmongers,
Scriveners,
Fruiterers,
Plaisterers,
Brown bakers,
Stationers,
Imbroiderers,
Upholsters,

The Company of Musicians,
 Turners,
 Gardiners,
 Basketmakers,
 Glaziers,
 John Levet, merchant,
 Thomas Nornicot, clothworker,
 Richard Venn, Haberdasher,
 Thomas Scot, gentleman,
 Thomas Juxon, merchant-taylor,
 George Hankinson,
 Thomas Seyer, gentleman,
 Matthew Cooper,
 George Butler, gentleman,
 Thomas Lawson, “
 Edward Smith, Haberdasher,
 Stephen Sparrow,
 John Jones, merchant,
 — Reynolds, Brewer,
 Thomas Plummer, merchant,
 James Duppa, Brewer,
 Rowland Coitmore,
 William Southerne,
 George Whitmore, Haberdasher,
 Anthony Gosnold, the Younger,
 John Allen, Fishmonger,
 Simon Yeomans, “
 Lancelot Davis, gentleman,
 John Hopkins, Alderman of Bristol,
 John Kettleby, gentleman,
 Richard Cline, Goldsmith,
 George Hooker, gentleman,
 Robert Chening, yeoman;⁵

⁵The incorporators of this charter were 56 city companies of London and 659 persons; of whom 21 were peers, 96 knights, 11 doctors, ministers, etc., 53 captains, 28 esquires, 58 gentlemen, 110 merchants, and 282 citizens and others

and to such and so many, as they do, or shall hereafter admit to be joined with them, in form hereafter in these presents expressed whether they go in their persons, to be planters there in the said plantation, or whether they go not, but adventure their monies, goods, or chattles; That they shall be one body or commanalty perpetual, and shall have perpetual succession, and one common seal, to serve for the said body or commonalty; and that they, and their successors, shall be known, called and incorporated by the name of, *The Treasurer and Company of Adventurers and Planters of the City of London for the first Colony in Virginia:*”

IV. [Authorizes this company “to take and hold property,” etc.]

V. [They may plead and be impleaded.]

“VI. And we do also of our special grace, certain knowledge and mere motion, give, grant and confirm, unto the said Treasurer and Company, and their successors, under the reservations, limitations, and declarations, hereafter expressed, all those lands, countries, and territories, situate, lying, and being, in that part of America called Virginia, from the point of land, called Cape or Point Comfort, all along the sea coast, to the Northward two hundred miles, and from the said point of Cape Comfort, all along the sea coast to the southward two hundred miles, and all that space and circuit of land, lying from the sea coast of the precinct aforesaid,

not classified. Of these, about 230 paid £37 10s., or more; about 229 paid less than £37 10s., and about 200 failed to pay anything. I cannot find that it was necessary to pay any particular amount in order to become a member of the Virginia company before January, 1609. I suppose it was necessary to make a payment, however. After January, 1609, no one was to be admitted to the freedom of the company for less than one share of £12 10s. It was afterwards proposed to increase the amount to £25; but I cannot find that this proposition was ever carried out. The persons in this charter were evidently of divers qualities, from the man of limited means to the peer of the realm. At least one hundred of them served in the House of Commons, at some time; and about fifty of these were then members of the first Parliament of James I. Parliament was not then in session; but it was in session at and before the incorporation of the first charter (V.).

up into the land, throughout from sea to sea, west and north-west; and also all the islands, lying within one hundred miles, along the coast of both seas of the precinct aforesaid; together with all the soils, grounds, havens, and ports, mines, as well royal mines of gold and silver, as other minerals, pearls and precious stones, quarries, woods, rivers, waters, fishings, commodities, jurisdictions, royalties, privileges, franchises and preheminences, within the said territories, and the precincts thereof, whatsoever, and thereto and thereabouts, both by sea and land, being and in any sort belonging or appertaining, and which we, by our letters patents, may or can grant, in as ample manner and sort, as we or any of our noble progenitors, have heretofore granted to any company, body politick or corporate, or to any adventurer or adventurers, undertaker or undertakers, of any discoveries, Plantations, or traffick, of, in or unto any foreign parts whatsoever, and in as large and ample manner, as if the same were herein particularly mentioned and expressed; to have and to hold, possess and enjoy, all and singular the said lands, countries and territories, with all and singular other the premises, heretofore by these presents granted, or mentioned to be granted, to them, the said treasurer and company, their successors and assigns forever; to the sole and proper use of them, the said Treasurer and company, their successors and assigns for ever; to be holden of us, our heirs, and successors, as of our manour of East Greenwich, in free and common soccage, and not in capite; [see V. arts. XVIII. and IX.] yielding and paying, therefore, to us, our heirs, and successors, the fifth part only of all ore of gold and silver, that from time to time, and at all times hereafter, shall be there gotten, had, or obtained for all manner of services.

“VII. And nevertheless our will and pleasure is, and we do by these presents, charge, command, warrant, and authorise, that the said Treasurer and company, or their successors, or the major part of them, which shall be present and assembled for that purpose, shall, from time to time,

under their common seal, distribute, convey, assign, and set over, such particular portions of Lands, tenements, and hereditaments, by these presents formerly granted, unto such our loving subjects, naturally born, or denizens, or others, as well adventurers as planters, as by the said company (upon a commission of survey and distribution, executed and returned for that purpose,) shall be nominated, appointed and allowed; wherein our will and pleasure is, that respect be had, as well of the proportion of the adventurer, as to the special service, hazard, exploit, or merit of any person so to be recompenced, advanced, or rewarded.

“VIII. And forasmuch, as the good and prosperous success of the said plantation cannot but chiefly depend next under the blessing of God, and *the support of our royal authority*, upon the provident and good direction of the whole enterprize, by a careful and understanding Council, and that it is not convenient that all the adventurers shall be so often drawn to meet and assemble, as shall be requisite for them to have meetings and conference about the affairs thereof; therefore we do ordain, establish and confirm, that there shall be perpetually one Council here resident, according to the tenour of our former letters patents; which council shall have a seal, for the better government and administration of the said plantation, besides the legal seal of the company or corporation, as in our former letters patents is also expressed.

“IX. And further, we establish and ordain, that Henry, Earl of Southampton; William, Earl of Pembroke; Henry, Earl of Lincoln; Thomas, Earl of Exeter; Robert Lord Viscount Lisle; Lord Theophilus Howard; James Lord Bishop of Bath and Wells; Edward, Lord Zouch; Thomas, Lord La Warr; William, Lord Monteagle; Edmond Lord Sheffield; Grey, Lord Chandois; John, Lord Stanhope; George, Lord Carew; Sir Humfrey Weld, Lord Mayor of London; Sir Edward Cecil, *Sir William Wade*,^o *Sir Henry Nevil*, *Sir Thomas*

^oThere were really two royal councils, “His majesties Council for Virginia,” from 34° to 45° north latitude (see VI. and XII.), and “His Majes-

Smith, Sir Oliver Cromwell, Sir Peter Manwood, Sir Thomas Challoner, Sir Henry Hobart, Sir Francis Bacon, Sir George Coppin, Sir John Scot, Sir Henry Carey, Sir Robert Drury, Sir Horatio Vere, Sir Edward Conway, Sir Maurice Berkeley, Sir Thomas Gates, Sir Michael Sondes, Sir Robert Mansel, Sir John Trevor, Sir Amias Preston, Sir William Godolphin, Sir Walter Cope, Sir Robert Killigrew, Sir Henry Fanshawe, Sir Edwin Sandys, Sir John Watts, Sir Henry Montague, Sir William Romney, Sir Thomas Roe, Sir Baptist Hicks, Sir Richard Williamson, Sir Stephen Poole, Sir Dudley Digges, Christopher Brooke Esq., John Eldred, and John Wolstenholme, shall be our Council for *the said Company* of Adventurers and Planters in Virginia.

“X. And the said Thomas Smith we do ordain to be treasurer of the said Company; which treasurer shall have authority to give order for the warning of the Council and summoning the Company, to their courts and meetings.

“XI. And the said council and treasurer, or any of them shall be from henceforth, nominated, chosen, continued, displaced, changed, altered, and supplied, as death, or other several occasions, shall require, out of the company of the said adventurers, by the voice of the greater part of the said

ties Council for the Virginia Company,” from 34° to 40° north latitude. Those whose names are in italics were members of both of these councils. Their term of office was for life, unless they be displaced. Of the fifty-two members of the council for the company named in this charter, fourteen were members of the House of Lords, and about thirty of the House of Commons. Reference to the Biographical Index will show the various parts of England represented. These royal councils formed an especial feature in the companies organized for colonization, by which the colonies were really attached to, and placed under the authority and protection of, the crown; but the Virginia companies were also organized, within themselves, for business purposes, as the East India and other purely commercial companies were, with a treasurer or governor, a deputy, auditors, committeemen, a secretary, a bookkeeper, a husband, and a beadle or messenger.

I have allowed most of the names in this charter to remain as given in Stith's History, though many are certainly given incorrectly, because there seems to have been no fixed way for spelling many names, and therefore it is frequently impossible to say which mode of spelling is correct.

company and adventurers, in their assembly for that purpose: Provided always, that every counsellor, so newly elected, shall be presented to the Lord Chancellor of England, or to the Lord High Treasurer of England, or to the Lord Chamberlain of the household of us, our heirs, and successors, for the time being, to take his oath of a counsellor to us, our heirs and successors, for the said Company of adventurers and colony in Virginia."

XII. [Provides for a deputy treasurer, etc.]

"XIII. And further, of our special grace, certain knowledge, and mere motion, for us, our heirs and successors, we do, by these presents, give and grant full power and authority to our said Council, here resident, as well at this present time, as hereafter from time to time, to nominate, make, constitute, ordain, and confirm, by such name or names, stile or stiles, as to them shall seem good, and likewise to revoke, discharge, change, and alter, as well all and singular governors, officers, and ministers, which already have been made, as also which hereafter shall be by them thought fit and needful to be made or used, for the government of the said colony and plantation;

"XIV. And also to make, ordain and establish all manner of orders, laws, directions, instructions, forms, and ceremonies of government and magistracy, fit and necessary, for and concerning the government of the said colony and plantation; and the same at all times hereafter, to abrogate, revoke, or change, not only within the precincts of the said colony, but also upon the seas in going, and coming, to and from the said colony, as they, in their good discretion, shall think to be fittest for the good of the adventurers and inhabitants there.

"XV. And we do also declare, that, *for divers reasons and considerations* us thereunto *especially* moving, our will and pleasure, is, and we do hereby ordain, that immediately from and after such time, as any such governor or principal officer, so to be nominated and appointed, by our said Council,

for the government of the said colony as aforesaid, shall arrive in Virginia, and give notice unto the colony there resident of our pleasure in this behalf, the government, power and authority of the President and Council, heretofore by our former letters patents there established, and all laws and constitutions, by them formerly made, shall utterly cease and be determined, and all officers, governors, and ministers, formerly constituted or appointed, shall be discharged, anything, in our former letters patents concerning the said plantation contained, in any wise to the contrary notwithstanding; straightly charging and commanding the President and council, now resident in the said colony, upon their allegiance, after knowledge given unto them of our will and pleasure, by these presents signified and declared, that they forthwith be obedient to such governor or governors, as by our said council, here resident, shall be named and appointed, as aforesaid, and to all directions, orders and commandments, which they shall receive from them, as well in the present resigning and giving up of their authority, offices, charge and places, as in all other attendance, as shall be by them, from time to time, required."

XVI. [New members may be admitted and old ones disfranchised, by the treasurer and council, "or any four of them (the treasurer being one)."]

XVII. [Mining privileges, about as in V., Art. IX., including, however, "iron, lead, and tin, and all other minerals."]

XVIII. ["Licence to travaile to Virginia—Shippinge—Armour—Munition"—to the same purport as in V., articles XI. and XIV.]

XIX. [Colonists to be free of all subsidies and customs for 21 years, and from all taxes and impositions, forever, upon all importations or exportations "except only the five pounds per cent." due on all goods imported into England, etc., "according to the ancient trade of merchants." Provided, the exportation is within thirteen months after impor-

tation, *i. e.*, after the first landing of said goods “within any part of those dominions.”]

XX. [May expel intruders, etc., to the same purport as article XII. in V.]

XXI. [Similar to article XIII. in V., except that the duty on such British subjects as are not adventurers is increased from $2\frac{1}{2}$ to 5 per cent., and the duty on aliens from 5 to 10 per cent.]

XXII. [To the same purport as article XV. in V.]

“XXIII. And forasmuch, as it shall be necessary for all such our loving subjects, as shall inhabit within the said precincts of Virginia, aforesaid, to determine to live together, in the fear and true worship of Almighty God, Christian peace, and civil quietness, each with other, whereby every one may, with more safety, pleasure, and profit, enjoy that, whereunto they shall attain with great pain, and peril; we, for us, our heirs, and successors, are likewise pleased and contented, and by these presents, do give and grant unto the said Treasurer and Company, and their successors, and to such governors, officers, and ministers, as shall be by our said Council, constituted and appointed, according to the natures and limits of their offices and places respectively, that they shall and may from time to time forever hereafter, within the said precincts, of Virginia, or in the way by sea thither and from thence, have full and absolute power and authority, to correct, punish, pardon, govern and rule, all such the subjects of us, our heirs and successors, as shall, from time to time, adventure themselves in any voyage thither, or that shall, at any time hereafter, inhabit in the precincts and territories of the said Colony, as aforesaid, according to such orders, ordinances, constitutions, directions, and instructions, as by our said Council, as aforesaid, shall be established, and in defect thereof, in case of necessity, according to the good discretions of the said governor and officers, respectively, as well in cases capital and criminal as civil, both marine and other; so always, as the said statutes, ordinances and pro-

ceedings, as near, as conveniently may be, be agreeable to the laws, statutes, government, and policy of our realm of this England.”

XXIV. [Martial law to be enforced in cases of rebellion or mutiny.]

XXV. [To the same purport as article XVI. in V.]

XXVI. [In all questions and doubts, that shall arise upon any difficulty of construction or interpretation of anything in this or the former letters patents, the same to be construed in the most favorable manner for the said company.]

XXVII. [Former privileges confirmed.]

“XXVIII. . . . that all and singular person and persons, which shall, at any time or times hereafter, adventure any sum or sums of money, in and towards the said plantation of the said colony in Virginia, and shall be admitted by the said Council and Company, as adventurers of the said colony, in form aforesaid, and shall be enrolled in the book or records of the adventurers of the said company, shall and may be accounted, accepted, taken held, and reputed, adventurers of the said colony, and shall and may enjoy all and singular grants, privileges . . . as fully . . . as if they had been precisely . . . named and inserted in these our letters patents.

“XXIX. And lastly, because the principal effect, which we can desire or expect of this action, is the conversion and reduction of the people in those parts unto the true worship of God and Christian religion, in which respect we should be loath, that any person should be permitted to pass, that we suspected to effect the superstitions of the church of Rome: We do hereby declare, that it is our will and pleasure, that none be permitted to pass in any voyage, from time to time to be made into the said country, but such, as first shall have taken the oath of supremacy; for which purpose, we do, by these presents, give full power and authority, to the Treasurer for the time being, and any three of the Council, to tender and exhibit the said oath, to all such persons, as shall,

at any time, be sent and employed in the said voyage. Although express mention of the true yearly value or certainty of the premises, or any of them, or of any other gifts or grants, by us or any of our progenitors or predecessors, to the aforesaid Treasurer and Company heretofore made, in these presents is not made; or any act, statute, ordinance, provision, proclamation, or restraint, to the contrary hereof had, made, ordained, or provided, or any other thing, cause, or matter, whatsoever, in any wise notwithstanding.

“In witness whereof, we have caused these our letters to be made patent. Witness Ourselves at Westminster, the 23d. day of May, in the seventh year of our reign of England, France, and Ireland, &c.

“Per ipsum Regem.

“LUKIN.”







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